

December 27, 2016
Board of Teton County Commissioners
150 Courthouse Drive
Driggs, Idaho 83422

Subject: Land Development and Road Vacation/Abandonment/Addition (Packsaddle Road Project)

In the way of introduction, our family has always tried to maintain and make improvements that are beneficial to the county. For example, our father was named Teton County's "Outstanding Conservator" and received the Goodyear Conservation Award. The three miles of terraces he built were the first terraces in Teton County and their success in preventing erosion quickly convinced his neighbors to also build terraces. The Ard Farms LLC is currently in discussion with the Agricultural Conservation Easement Program, continuing in our efforts to help conserve Teton County agricultural lands and their related wildlife and plant resources.

We are attending the meeting today as a follow-up to our submissions for the October 31, 2016 meeting. As far as part of the Packsaddle Road project and the Grandview Ranch tracts development, the Ard Farms LLC access road to 200 acres of agriculture land on the east side of Ard Canyon from Milk Creek public road was blocked off with rocks thus land locking 200 acres of our farm land. This road has been used as an access road to the Ard property since the early 1900's.

We have made numerous attempts to contact Ron Judy who is the owner of Grandview Ranch VI Tracts and we have also tried to talk with Jess Horton because we were told he is managing the whole project. We have tried to do this through both Mr. Moulton and Mr. Meppen. Both Mr. Judy and Mr. Horton have refused to contact us.

We feel that Teton County should be pro-active in protecting the interests of all property owners and tax payers when approving developments and road projects. We were not notified regarding Mr. Judy's ranch tracts development. Yet this development will have a large impact on us as property owners with increased traffic, trespassing, and vandalism. We were not notified regarding the Packsaddle road project because we are more than 300 feet from the road – yet Mr. Judy has now landlocked 200 acres of our land with his road block across our access road.

We stated in the last meeting we would follow the commissioners' recommendation and try to work directly with Mr. Judy of Grandview Ranch tracts. Our attempts to do so have failed. As Teton County property owners and tax payers, we would like to ask Teton County's help in respecting property owner rights when approving developments and road alignments.

We would like to know the exact provisions Teton County has provided to maintain access easements for all landowners adjoining the proposed development adjacent to the Teton Valley Scenic Parkway. What specifically is included in the approval process paperwork to protect landowner access easement rights? We are not asking to buy access land, or buy a road, but only to have legal access easements to our property.

Please respond:

Delvan Ard, Manager

Ard Farms LLC Phone: (720) 940-1590 Address: 12922 N Desert Olive Dr., Oro Valley, AZ 85755 e-mail: delvan_ard@yahoo.com

Sent: Monday, December 26, 2016 10:39 AM

To: 'Darryl Johnson' <djohnson@co.teton.id.us>

Cc: Delvan Ard <delvan_ard@yahoo.com>

Subject: December 27th Public Hearing - Packsaddle Road Project and developments

Good Morning Darryl,

Because of the winter weather alerts between here and Driggs, we will not be able to attend the December 27th Public Hearing as planned. Attached is a document outlining the talking points we were planning on presenting at the meeting. Would you please share the document with the commissioners. Also, if possible, we would like this document to be read and included as far as part of the public comments.

Hope you and your family had a very Merry Christmas.

Conna Andrews

Thank you for submitting our letter to the commissioners and again for your prompt reply.

Conna Andrews

ARD Farms LLC contact Person:

Delvan Ard, Manager

Phone: (720) 940-1590

Address: 12922 N Desert Olive Dr., Oro Valley, AZ 85755

e-mail: delvan_ard@yahoo.com

From: Darryl Johnson [<mailto:djohnson@co.teton.id.us>]

Sent: Tuesday, December 27, 2016 4:12 PM

To: Conna Andrews <conna.andrews@gmail.com>

Subject: RE: December 27th Public Hearing - Packsaddle Road Project and developments

Hello Conna;

Thank you for your letter. It was read into the meeting minutes. I have been asked to prepare a letter that will be signed by a commissioner but wanted to provide you with a faster response.

Unfortunately for you, the commissioners agree with the applicant on this issue. The road alignment will not change at this location so your access would not be affected by this project. There have been no development applications submitted to the County and that is why you have not been notified. The parcel exhibit you refer to was a request by the commissioners to see possible future development plans. Again, nothing submitted to date. The access has never been a county road and as such, is not a matter that the county should be involved with. If you feel there is a prescriptive easement that has been taken from you, it is a matter between landowners and the County does not feel it should be involved in the matter.

I will prepare a letter and have approved at the next commissioners meeting, signed and sent to you.

The Packsaddle Raod Public Hearing has been continued to 2/28. I hope the commissioners will be making a motion so sure they will allow public comment if you wish to discuss.

Regards;

Darryl Johnson, PE, PLS

Teton County Public Works Director

Office: 208-354-0245, Cell: 208-313-0245

djohnson@co.teton.id.us



From: Conna Andrews [<mailto:conna.andrews@gmail.com>]

From: Conna Andrews [<mailto:conna.andrews@gmail.com>]
Sent: Wednesday, January 4, 2017 5:45 PM
To: 'Darryl Johnson' <djohnson@co.teton.id.us>
Cc: Delvan Ard <delvan_ard@yahoo.com>
Subject: December 27th Public Hearing - Packsaddle Road Project and developments

Hello Darryl,

Thanks for your quick response. The applicant and commissioners are right – the road alignment will not change at this location. However, the road alignment hearings are the only public hearings we have been able to find where we can express our concerns to both Teton County and the public.

Because of the Milk Creek/Packsaddle road improvements and the Grandview Ranch Tracts development, the easement roads to our land were blocked off – landlocking 200 acres of our agriculture land on the east side of Ard Canyon. Historically, we have had two accesses from our property to the public Milk Creek Road. We are not asking to buy access land, to buy a road, or for road improvements, but only to have legal access easements from our agriculture property to a public road – which would be the Milk Creek Road access. Attached is a picture of the blocked off access road from Milk Creek Road which land locks 200 acres of our agriculture land.

When you put the letter together from the commissioners, could you please address our question regarding the exact provisions Teton County has provided to protect property rights with developments and road reconstructions?

Private property owners have the right to access public roads from their agriculture land. We feel that if Teton County required land developers to provide legal access from agriculture property to public roads in the application process (thus avoiding land locks), many problems and law suits against Teton County could be prevented.

You mentioned that no development applications have been submitted. Yet Grandview Ranch VI Tracts has already started development with their construction of a network of roads throughout the property, wood fencing, and accesses such as the one in the attached picture.

We have only been involved since last fall – yet have already noticed several red flags. For example, when a property owner lawyers up right from the beginning and refuses to communicate, it is usually a good indication that there are underlying issues that do not meet the eye. We know there are other property owners with concerns about the road and development. We feel all property owners deserve the protection of the county when large developments are approved.

Teton County has always been a good place to live because people are friendly and care about their neighbors. We would like to keep it that way.

Any suggestions and help that Teton County can give us and other property owners in Teton county would be greatly appreciated.

From: [Darryl Johnson](#)
To: ["Conna Andrews"](#)
Subject: RE: February Public Hearing - Packsaddle Road Project and developments
Date: Wednesday, February 22, 2017 5:12:18 PM
Attachments: [image001.jpg](#)

Hello Conna;

I will certainly submit your concern to the commissioners at Tuesday's meeting per your request.

To date, Ag Rim has not submitted any application to subdivide. Teton County cannot prohibit or restrict the landowner from constructing roads on their property. I believe they do have an approved access permit for all new private road intersections with the County road. In addition, the county road alignment in your area of concern is not changed so the commissioners do not consider the elimination of this access point to be associated with the road re-alignment. I will bring this matter to the attention of the commissioners and include your emails to me for consideration.

Regards;

Darryl Johnson, PE, PLS
Teton County Public Works Director
Office: 208-354-0245, Cell: 208-313-0245
djohnson@co.teton.id.us



From: Conna Andrews [mailto:conna.andrews@gmail.com]
Sent: Wednesday, February 22, 2017 12:56 PM
To: 'Darryl Johnson' <djohnson@co.teton.id.us>
Cc: Delvan Ard <delvan_ard@yahoo.com>
Subject: February Public Hearing - Packsaddle Road Project and developments

Good Afternoon Darryl,

We did not receive a letter from you through USPS. The last communication we received was an email saying you were going to do this. We sent the below after receiving your email. Could you please address our question about the exact provisions Teton County provides to protect all property owners'/tax payers' rights when approving developments and road reconstructions. Could you also present the below to the commissioners at the meeting next week – we will not be able to attend because of conflicts of schedules.

Thank you for all your help,
Conna



Public Works Department

January 9, 2017

Mr. Delvan Ard
Ard Farms LLC
12922 Desert Olive Drive
Oro Valley, AZ 85755

RE: Ard Farms Access Off Of Milk Creek Road

Dear Mr. Ard;

Thank you for your letter dated December 27, 2016 regarding the Ard Farm Access from Milk Creek Road. This matter was discussed at the December 27, 2016 Packsaddle Road Vacation Public Hearing. Because the County road alignment will not change at the Ard Farms LLC Access Road, the Board of County Commissioners does not consider this matter to be associated with or caused by the road vacation/re-alignment. It was agreed this matter is between Ard Farms LLC and Grandview Ranch. The County should not be involved in resolving or supporting either party. In addition, no development applications have been submitted to the County to date. All exhibits submitted associated with the road vacation application are conceptual and have come at the request of the Commissioners in hopes to gain an understanding of future development plans.

Regards:

Mark Ricks , Chair
Board of County Commissioners