

Special Town Council Meeting

March 30, 2020

3:00 PM

Town Council Chambers

Chair: Pete Muldoon

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING**

I. WEBEX LINK FOR PUBLIC PARTICIPATION

[CLICK HERE](#) Password: toj

or copy URL: <https://townofjacksonwy.webex.com/townofjacksonwy/onstage/g.php?MTID=efeacca603b85b59b0f29a343b6770bfc>

[CLICK HERE](#) Password toj

<https://townofjacksonwy.webex.com/townofjacksonwy/onstage/g.php?MTID=ea420c8d0a1e7639ca7203ef169a0ed72>

II. CALL TO ORDER AND ROLL CALL

III. MATTERS FOR DISCUSSION AND/OR POSSIBLE ACTION:

- A. Reconsideration of March 2nd vote on Town Comment Letter to U.S. Forest Service
- B. Town Comment Letter to U.S. Forest Service

IV. EXECUTIVE SESSION

Recess meeting to executive session to consider matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party in accordance with Wyoming Statute 4-405(a)(iii).

V. MATTERS FROM MAYOR, COUNCIL, OR STAFF

- A. Related to COVID-19
 - 1. Ratify March 28, 2020 Emergency Ordinance 1249
 - 2. Joint Resolution 20-04 Delegation of Authority for COVID-19 Response

VI. ADJOURN

Please note that at any point during the meeting, the Chairman or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: March 27, 2020

MEETING DATE: March 30, 2020

SUBMITTING DEPARTMENT: Community Development

DEPARTMENT DIRECTOR: Tyler Sinclair

PRESENTER: Tyler Sinclair

SUBJECT: Draft Environmental Impact Statement: Snow King Mountain Resort On-Mountain Improvements Project - United States Forest Service – Town Comments - Reconsideration

STATEMENT/PURPOSE

The purpose of this item is for Town Council to reconsider their previous vote to provide comments to the United States Forest Service related to the Draft Environmental Impact Statement: Snow King Mountain Resort On-Mountain Improvements Project.

There will be no public comment taken on this item. Members of the public wanting to provide comment should do so directly to the United States Forest Service during the 45 day comment period.

BACKGROUND/ALTERNATIVES

On March 2, 2020, Town Council voted 4-1 to forward a letter to the United States Forest Service providing Town comments on Draft Environmental Impact Statement: Snow King Mountain Resort On-Mountain Improvements Project. See the attached letter dated March 3, 2020.

On March 23, a motion was made and seconded to reconsider the vote on the Town's comment letter to the Forest Service related to the Draft Environmental Impact Statement: Snow King Mountain Resort On-Mountain Improvements Project. That motion to reconsider was not voted on. Instead, the Council voted to postpone the vote on the motion to reconsider to a special meeting held before March 31. The Special Meeting was subsequently scheduled for March 30, 2020.

Snow King Mountain Resort, Jeff Golightly provided an email dated March 27, 2020 outlining their requested changes to the March 3, 2020, Town letter. Staff has revised the March 3, 2020 letter to reflect these proposed changes for Council review and consideration should Council desire to address them, see attached letter dated March 30, 2020.

STAKEHOLDER ANALYSIS

The stakeholders involved in this issue include Snow King Mountain Recreation, the Town of Jackson organization, all patrons and users of Snow King Mountain, and the community at large.

ATTACHMENTS

- Snow King Mountain Resort, email from Jeff Golightly dated March 27, 2020
- Town of Jackson, draft revised letter to the United States Forest Service dated March 30, 2020
- Town of Jackson, previously approved letter to the United States Forest Service dated March 3, 2020

FISCAL IMPACT

None

STAFF IMPACT

The staff impact has been moderate attending Cooperating Agency Meetings with the Forest Service and preparing Town Council reports and correspondence on this item.

LEGAL REVIEW

This item has not been provided to the Town Attorney for review.

RECOMMENDATION

The Community Development Director has not provided a recommendation on this item.

SUGGESTED MOTION

I move to authorize the Mayor to sign a letter to the United States Forest Service providing comments on the Draft Environmental Impact Statement: Snow King Mountain Resort On-Mountain Improvements Project dated March 30, 2020 as presented and amended at this meeting.

Synopsis for PowerPoint (120 words max):

Purpose:

Background:

Fiscal Impact:

From: [Jeff Golightly](#)
To: [Tyler Sinclair](#)
Subject: Town Council Snow King USFS EIS Response Letter
Date: Friday, March 27, 2020 8:33:27 AM

Dear Mayor, Town Councilors, and Mr. Tyler Sinclair,

Thank you for reconsidering the letter to the USFS regarding the EIS for Snow King's Masterplan. The original letter voiced concerns regarding mountain bikes leaving the permit boundaries and adding to congestion in the trails that surround the proposed mountain biking area. We believe that is an appropriate comment; however, going beyond voicing that concern, and providing a suggestion as to how the USFS should achieve this goal could make mountain biking unfeasible for Snow King entirely.

In the originally approved letter the town gave a nod to option 4 as it relates to mountain biking. Option 4 moves the mountain biking to the north side of Snow King, and does not allow it on the back. Due to existing uses and limited appropriate terrain in the Rafferty area (where option 4 puts the mountain biking), this is not a feasible option that would allow for investment into family friendly downhill bike trails. We believe having mountain biking on the backside (as allowed in option 3) makes our business model work, provides a great amenity for tourists and locals alike, and, provides town residents and their children a location that is an easy bike ride away to load on the gondola without having to load up cars to drive to other bike parks.

We believe the concerns you have regarding the spill-over into the surrounding trails can be mitigated regardless of which option is selected and hope that you would voice that concern without being prescriptive as to how the USFS accomplishes that goal. During the March 2nd meeting, the Council edited the letter in real time during the meeting. During that discussion three of the four councilors that voted in favor of the letter seemed to indicate that they were either comfortable with either option 3 or 4 (as it relates to mountain biking) or didn't think Council should give an opinion on the alternative, but rather the concern.

We respectfully request that you remove the reference to a nod towards a particular alternative as it relates to mountain biking, and instead voice the concern that mountain bikes not be allowed to leave the proposed mountain biking area. We will be happy to work with the USFS to ensure the concern is mitigated. That is the only edit we are requesting to the letter.

Thanks for your consideration,

Jeff Golightly
Snowking Mountain Resort Board of Directors

OFFICE OF THE MAYOR
AND TOWN COUNCIL

March 30, 2020

U.S. Forest Service
Bridger-Teton National Forest
Patricia O'Connor, Forest Supervisor
P.O. Box 1888
Jackson, WY 83001

RE: Snow King draft Environmental Impact Statement

Dear Ms. O'Connor,

Thank you for the opportunity to comment on the Snow King draft EIS and for continuing to include the Town of Jackson as a cooperating agency in this process.

Based upon public comment we have received, we are particularly concerned with the road and skiway alignment. At the outset of this process the town requested a range of alternatives for the proposed road and skiway across the face of Snow King Mountain to and from the summit. Alternatives three and four contain the exact same alignment as alternative two, which is the proposed action by the resort. This comes after the town and the Bridger-Teton received substantial public comment about the road and the need for a range of alternatives.

In particular, a group of citizens, led by avalanche forecaster and veteran Snow King ski patroller Rod Newcomb, presented an alternative to District Ranger Mary Moore that showed a viable route to the summit without an expansion of the resort boundaries. This route is known as the "Briggs Road," after longtime instructor and ski pioneer Bill Briggs, who scouted the alignment to the west of the summit with resort founder Neil Rafferty as early as the 1970s.

There may be other alignments, including creating new switchbacks between the Elk and Exhibition ski runs, that the Bridger-Teton did not consider. These options still would meet the purpose and need of the proposed action yet would limit disturbance to the existing boundaries.

Also, the proposed road/skiway would cross three black diamond trails and three double-black diamond trails, with slope angles approaching 40 degrees. Safety is of paramount concern, both for the beginning skiers the route would serve and the experts whose ski runs would be bisected by it.

Please consider more thoroughly the steepness of slopes, undulations of terrain and avalanche danger for all users in any proposed alternative.

The draft EIS notes that downhill mountain biking in the proposed action could put significantly more users into the Cache Creek/Game Creek trail system, causing potential user conflicts and resource degradation. ~~Alternatives three and four are preferable to alternative two, although alternative four affords the most protection. We would also be supportive of any other~~The Town requests that these concerns methods that be addressed in order to achieve significant levels of protection for this resource.

In conclusion, while the town has no desire to slow down your analysis of Snow King's proposal, we do have concerns we would like to have addressed.

Thank you again for your time and consideration. The town looks forward to continuing to collaborate with the Bridger-Teton so that Snow King serves the public for another 80 years.

Sincerely,

Pete Muldoon, Mayor
Jackson Town Council



OFFICE OF THE MAYOR
AND TOWN COUNCIL

March 3, 2020

U.S. Forest Service
Bridger-Teton National Forest
Patricia O'Connor, Forest Supervisor
P.O. Box 1888
Jackson, WY 83001

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Sincerely,

Pete Muldoon, Mayor
Jackson Town Council

EMERGENCY ORDINANCE 1249

AN EMERGENCY ORDINANCE TO STAY-AT-HOME FOR ALL WITHIN THE TOWN OF JACKSON TO LIMIT THE SPREAD OF COVID-19 IN THE TOWN OF JACKSON; AND OTHER RESTRICTIONS WITHIN THE TOWN OF JACKSON, WYOMING; DECLARING AN EMERGENCY, PROVIDING FOR AN EFFECTIVE DATE AND A TIME FOR TERMINATION.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED, THAT:

SECTION I.

WHEREAS, on or about December 31, 2019, a new and significant outbreak of pneumonia with an unknown source was detected in Wuhan City, Hubei Province China.

WHEREAS, the World Health Organization declared the outbreak of COVID-19 as a worldwide pandemic as of March 11, 2020; and

WHEREAS, there is currently no vaccine or drug therapy available for COVID-19; and

WHEREAS, the President of the United States declared a national emergency concerning the novel coronavirus disease (COVID-19) on March 13, 2020, specifically stating that in “December 2019 a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally. . . . The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems. . . . Additional measures . . . are needed to successfully contain and combat the virus in the United States.” The National Emergency Declaration went on to declare that the COVID-19 outbreak in the United States constitutes a national emergency, and the State of Wyoming is experiencing a public health emergency in response to the evolving outbreak of the novel coronavirus as of March 11, 2020; and

WHEREAS, Mark Gordon, Governor of the State of Wyoming, declared a State of Emergency for the State of Wyoming on March 13, 2020, stating that on March 11, 2020 an individual within the State of Wyoming tested presumptive positive for COVID-19 and the State of Wyoming is experiencing a public health emergency in response to the evolving outbreak of the novel coronavirus as of March 11, 2020. The Declaration of a State of Emergency directs the Director of the Wyoming Department of Health to take all appropriate and necessary actions and in the Director’s judgment any actions necessary to provide aid to those locations where there is a threat or danger to public health, safety and welfare”; and

WHEREAS, Teton County is an isolated rural community with a single small hospital with limited resources including only six (6) Intensive Care Unit beds and no critical care specialists, the University of Utah healthcare system, which usually accepts transfer of critically ill patients from Teton County, is closed to outside transfers due to the overwhelming case volume of COVID-19 in their community, other regional referral centers are expected to take similar measures soon, and Teton County Hospital District is therefore already taking on an increased caseload of critically ill patients with diagnoses other than COVID-19 who normally would be immediately transferred elsewhere; and

WHEREAS Teton County Hospital District routinely serves patients not only from within Teton County but also from Lincoln County, WY, Sublette County, WY, Fremont County, WY, and parts of Eastern Idaho who will further stress its capacity, making it critical that Teton County take steps to slow the spread of COVID-19 infection so as not to overwhelm the local healthcare system in such a way that would result in many preventable deaths; and

WHEREAS, Teton County presently has more than ten (10) confirmed cases of the Coronavirus (COVID-19) with documentation of community spread with over half of cases in the last 48 hours, indicating a rapidly increasing rate of transmission;

WHEREAS, this evidence shows that Covid-19 is now aggressively spreading across the community with the confirmation of community spread of COVID-19 in Wyoming and, specifically, the Teton County Health Department confirming community spread in Teton County, Wyoming, which indicates a significantly increasing risk of exposure and infection to Town of Jackson residents and creates an extreme public health risk; and

WHEREAS, local hospital administrators and health care providers have expressed concerns that unless the spread of COVID-19 is limited, existing health care facilities may be insufficient to care for those who become sick; and

WHEREAS, Dr. Travis Riddell, MD serves as the Teton District Health Officer pursuant to Wyoming Statute §35-1-306(a) and this Ordinance is enacted in accordance with his advice and expertise and the measures herein are the least restrictive measures necessary to protect the public from the COVID-19 pandemic and prevent the overwhelming of the community's medical resources; and

WHEREAS, this Ordinance is enacted on the advice of leading national health authorities that no locality, regardless of whether they have already identified COVID 19 cases, will be immune from the spread of the virus, particularly given the absence of reliable testing protocols in most jurisdictions; scientific evidence regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; as well as best practices as currently known and available to protect vulnerable members of the public from avoidable risk of serious illness or death resulting from exposure to COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk; and

WHEREAS, given the Town's prominence as a tourist destination for domestic and international travelers, and given the risk of transmission of COVID-19 through public contacts among visitors, locals, and the service providers in close contact where people gather, the Town Council has determined that the closure of venues and facilities where members of the public congregate within the Town is critical to minimize the risk of expedited transmission that would, if unimpeded, place an overwhelming burden and have devastating impacts on the community's healthcare systems, facilities, supplies, and providers; and

WHEREAS, this Ordinance will reduce the likelihood that most high-risk individuals will be exposed to COVID- 19, and it will thereby slow the spread of COVID-19 in our community. By reducing the spread of COVID-19, this Ordinance will help preserve critical and limited healthcare capacity in the Town; and

WHEREAS, Wyo. Stat. Ann. §15-1-103(a)(xviii) empowers "[t]he governing bodies of all cities and towns [to]: . . . [r]egulate, prevent or suppress riots, disturbances, disorderly assemblies or parades, or any other conduct which disturbs or jeopardizes the public health, safety, peace or morality, in any public or private place" and the Town finds that the activities being restricted by this Ordinance severely jeopardize the health, safety, welfare and lives of the residents of the Town of Jackson; and

WHEREAS, Wyo. Stat. Ann. §15-1-103(a)(xli) empowers "[t]he governing bodies of all cities and towns [to]: . . . [a]dopt ordinances, resolutions and regulations, including regulations not in conflict with this act and necessary for the health, safety and welfare of the city or town, necessary to give effect to the powers conferred by this act" and the Town finds that this Ordinance is not in conflict with state statute and that this ordinance is necessary for the health, safety, welfare and lives of the residents of the Town of Jackson; and

WHEREAS, Wyo. Stat. Ann. §15-1-103(xix) empowers "[t]he governing bodies of all cities and towns [to]: . . . "declare and abate nuisances and impose fines upon parties who create, continue or permit nuisances to exist" and the Town finds that this Ordinance is necessary to abate the nuisance of COVID-19 to protect and preserve the health, safety, welfare and lives of the residents of the Town of Jackson.

1. Each of the provisions of this Ordinance are effective immediately upon passage and continuing until 11:59 p.m. on April 17, 2020.
2. All individuals currently within the Town of Jackson are ordered to stay at home, their place of residence, or current place of abode (hereinafter "residence") except as set forth herein. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible, maintain social distancing of at least six (6) feet from any other person, with the exception of family or household members, consistent with the Social Distancing Requirements defined herein. All persons may leave their homes or place of residence only for Essential Activities all as defined below.

Individuals experiencing homelessness are exempt from this Ordinance, but are strongly urged to obtain shelter that meets Social Distancing Requirements. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location.

3. Persons may leave their residences, returning immediately thereafter, and travel to perform any of the following “**Essential Activities**” and workers may enter the Town of Jackson to perform any of the following “**Essential Activities**”:
 - a. For Health and Safety: To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets) such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
 - b. For Supplies and Services: To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruit and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - c. For Outdoor Activity: To engage in outdoor activity, provided the individuals comply with Physical Distancing Requirements defined herein such as, by way of example and without limitation, walking, hiking or running.
 - d. For Certain Types of Work: i) To perform work at an Essential Business and ii) to perform Minimum Basic Operations at a business not defined as an Essential Business.
 - e. To Care of Others: To care for a family member or pet in another household.
4. Definitions for the purpose of this Ordinance are defined as follows:
 - a. **Essential Businesses**: In order to slow the spread of COVID-19, it is necessary to reduce the instances where individuals interact with one another in a manner inconsistent with the Social Distancing Requirements as defined below. Many of those interactions occur at work. At the same time, it is necessary that certain businesses essential to the response to COVID-19, necessary to the infrastructure of the community and State of Wyoming, or imperative for the day-to-day life residents, remain open.

For purposes of this Ordinance, an Essential Business includes the following businesses:

- i. Healthcare Operations: Including hospitals, clinics, dentists (for emergency care only), pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, health-related laboratory services, healthcare suppliers, home healthcare service providers, physical therapy, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness, exercise gyms, one-on-one or group trainers.
- ii. Essential Governmental Functions: All services needed to ensure the continuing operation of the government agencies. All Essential Governmental Functions shall be performed in compliance with Physical Distancing Requirements as defined herein, to the greatest extent possible.
- iii. Essential Infrastructure: Includes, but is not limited to, public works, construction, construction of housing or buildings, airport operations, water, sewer, gas, electrical, roads/highways, pathways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out these services or that work in compliance with Physical Distancing Requirements as defined by this Ordinance, to the greatest extent possible.
- iv. Stores That Sell Groceries and Medicine: Grocery stores, farmer’s markets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, poultry, and any other household consumer products (such as cleaning and personal care products) and specifically includes their supply chain and administrative support operations. This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also sell other non-grocery products, wholesale items and products

necessary to maintaining the safety, sanitation, and essential operation of residences.

- v. Food Cultivation: Food cultivation, including greenhouses, farming and livestock operations, and fishing.
- vi. Charitable, Religious and Social Services: Businesses and organizations that provide food, shelter, social services, religious and pastoral services, and other necessities of life for spirituality, economically disadvantaged or otherwise needy individuals, and individuals who need assistance as a result of this emergency, and people with disabilities.
- vii. Media: Newspapers, television, radio, and other media services.
- viii. Transportation-related business: Gas stations and auto supply, auto repair, and auto-related facilities.
- ix. Financial and Insurance Institutions: Banks, credit unions, appraisers, title companies, insurance companies, and related financial and insurance institutions.
- x. Hardware stores.
- xi. Sport Stores: Sporting goods stores.
- xii. Critical Trades: Plumbers, electricians, exterminators, internet or broadband providers, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HV/AC, painting, cleaning services and others who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses.
- xiii. Mail, Post, Shipping, Logistics, Delivery, and Pick-Up Services: Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, and goods through commercial or government channels.
- xiv. Educational Institutions: Public and private daycare through 12th grade schools, colleges, and universities for purposes of facilitating distance learning or performing essential functions.
- xv. Laundry Services: Laundromats, dry cleaners, and laundry service providers.
- xvi. Restaurants for Consumption Off-Premises: Restaurants and other facilities that prepare and serve food, but only for delivery or curbside carry out, as set forth in Teton District Public Health Order #2.
- xvii. Transportation: Airlines, airports, taxis, transportation network providers, commercial and public transportation and logistics providers, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly set forth herein.
- xviii. Home-Based Care: Businesses and organizations that provide home-based care for seniors, adults, and children, including people with developmental disabilities, intellectual disabilities, substance abuse disorders or mental illness, including nannies who may travel to the individual's home to provide care.
- xix. Residential Facilities and Shelters: Residential facilities and shelters for seniors, adults, and children, including people with developmental disabilities, intellectual disabilities, substance abuse disorders or mental illness, including nannies who may travel to the individual's home to provide care.
- xx. Professional Services: Professional services such as legal and accounting services, when necessary to assist in compliance with legally mandated activities.
- xxi. Funeral Services: Funeral homes, mortuaries, crematoriums, cemeteries, graveyards and other related services.
- xxii. Liquor: Liquor stores and businesses with a Town-issued liquor license.
- xxiii. Overnight Lodging: Overnight lodging and short-term lodging facilities (including but not limited to hotels, motels, condos, townhomes, single-family residences, guest homes, RV parks, and all camping on public or private lands) within the Town of Jackson, Wyoming that check-in, rent, or lease to Essential Visitors and Primary Residents.
- xxiv. Businesses Excluded from the List: Businesses excluded from the list of Essential Businesses set forth above that believe they may be essential may direct requests to be included to the Town Manager of the Town of Jackson. The Town Manager may grant such request if it determines that it is in the best interest of the community to have the business continue operations in order to properly respond to this COVID-19 pandemic.

- b. **Essential Visitor** means any individual renting lodging or camping for an amount of time less than thirty days for the purposes of work within Teton County, Wyoming.
 - c. **Primary Residents** are individuals who:
 - i. Rent lodging for periods of thirty days or more; or
 - ii. No matter the length of stay, are in the United States on J1 Visa or similar immigration status; or
 - iii. No matter the length of stay, whose primary address is within Teton County, Wyoming; or
 - iv. No matter the length of stay, those who are employed at a business in Teton County, Wyoming.
 - d. **Minimum Basic Operations** includes the following, providing that employees comply with the Physical Distancing Requirements as defined herein, to the extent possible, while carrying out such operations:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
 - e. **Physical Distancing Requirements** includes maintaining at least six-foot distance, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high touch surfaces and not shaking hands.
5. For clarity, businesses and organizations that are not defined herein as an Essential Business may also continue operations consisting exclusively of employees or contractors performing activities remotely and/or consisting of Minimum Basic Operations. All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined herein for both employees and members of the public, including, but not limited to, when any customers are standing in line.
6. That residents of the Town of Jackson, Wyoming who leave the geographic area of the State of Wyoming, Bonneville County, Idaho, Teton County, Idaho and any visitors, excepting workers, that visit Jackson, Wyoming from that same geographic area shall limit movement and gathering with other individuals who are not their immediate family upon their return to the Town of Jackson, Wyoming. Persons may leave their residences only to perform any of the Essential Activities, as defined above, for a period of self-quarantine lasting at least fourteen days or self-isolation until any fever or respiratory illness has resolved and they have returned to normal health for at least three days, whichever is longer.

SECTION II.

The provisions of this Ordinance are effective through 11:59 p.m. on April 17, 2020 unless sooner repealed, after which time they shall become null and void.

SECTION III.

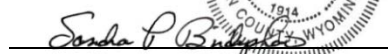
If any section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

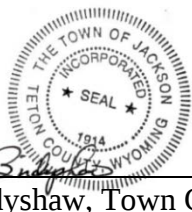
SECTION IV.

Adoption of this Ordinance shall be by emergency ordinance provisions under suspension of rules and approved by not less than three quarters (3/4) of the qualified members of the governing body as required and set forth in Section § 15-1-115 of the Wyoming Statutes. This Ordinance shall take effect immediately upon proclamation by the Mayor.

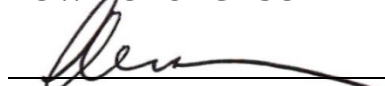
PASSED the 28th day of March 2020.

ATTEST:


Sandra P. Birdyshaw, Town Clerk



TOWN OF JACKSON


Pete Muldoon, Mayor



TOWN OF JACKSON

AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Legal

PRESENTER: Lea Colasuonno

MEETING DATE: March 30, 2020

SUBJECT: Delegation Of Authority For Covid-19 Response Resolution

STATEMENT/PURPOSE

The purpose of this item is for the Town Council to consider a joint resolution delegating authority for the Covid-19 response.

BACKGROUND/ALTERNATIVES

The COVID-19 pandemic is a global, national, state and local emergency - the Council approved a declaration of State of Emergency in Jackson, Wyoming as of March 11, 2020. In order to formalize the organization of emergency personnel heading up the response to COVID-19 in the community a joint resolution delegating authority for the Covid-19 response was requested by Rich Ochs, the Coordinator, Teton County Emergency Management, and drafted by the Town Attorney and Deputy County Attorney, Keith Gingery.

The Resolution designates a Unified Command to oversee the complete management of the COVID-19 Response Incident, comprising:

- Fire Chief Brady Hansen, Jackson Hole Fire/EMS
- Jodie Pond, Director, Teton County Health Department
- Sheriff Matt Carr, Teton County Sheriff
- Police Chief Todd Smith, Jackson Police Chief; and

COMPREHENSIVE PLAN ALIGNMENT

This item is directly aligned with Quality Community Service Provision, specifically that the Town:

- ✓ Has a core mission of providing for the life-safety services.
- ✓ The community relies on the efficient, timely, and safe delivery of critical utilities and services, such as police, fire protection, emergency medical treatment, and water and sewer services.
- ✓ Residents, visitors and businesses expect local government to provide these services year-round and take appropriate and reasonable steps to prepare for critical service delivery in times of emergency.
- ✓ The Town must also collaborate with other service providers to ensure the needs of the community are met.

STAKEHOLDER ANALYSIS

The stakeholders include employees, residents and guests to the community.

FISCAL IMPACT

There is no direct fiscal impact of this ordinance, but it does require staff time and resources from joint department and the Jackson Police Chief, Todd Smith.

STAFF IMPACT

The impact on staff of preparing this item was not significant. The impact of executing it will likely be significant for the Jackson Police Department.

LEGAL REVIEW

Ongoing as needed.

ATTACHMENTS

Delegation Of Authority For Covid-19 Response Resolution

RECOMMENDATION

Staff recommends approving the Resolution.

SUGGESTED MOTION

I move to approve joint Resolution 20-04 for the Delegation Of Authority For Covid-19 Response.

TETON COUNTY, WYOMING RESOLUTION #20-__
AND
TOWN OF JACKSON, WYOMING RESOLUTION #20-04

DELEGATION OF AUTHORITY FOR COVID-19 RESPONSE

WHEREAS, the World Health Organization declared the Coronavirus as a worldwide pandemic as of March 11, 2020; and

WHEREAS, the President of the United States declared a national emergency concerning the novel coronavirus disease (COVID-19) on March 13, 2020, specifically stating that in “December 2019 a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally. . . . The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems. . . . Additional measures . . . are needed to successfully contain and combat the virus in the United States.” The National Emergency Declaration declared that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, Mark Gordon, Governor of the State of Wyoming, declared a State of Emergency and Public Health Emergency for the State of Wyoming on March 13, 2020, stating that on March 11, 2020 an individual within the State of Wyoming tested presumptive positive for COVID-19 and the State of Wyoming is experiencing a public health emergency in response to the evolving outbreak of the novel coronavirus as of March 11, 2020. The Declaration of a State of Emergency directs the Director of the Wyoming Department of Health to take all appropriate and necessary actions and in the Director’s judgment any actions necessary to provide aid to those locations where there is a threat or danger to public health, safety and welfare; and

WHEREAS, the Teton County Board of County Commissioners approved a declaration of State of Emergency in Teton County, Wyoming as of March 16, 2020; and

WHEREAS, the Jackson Town Council approved a declaration of State of Emergency in Jackson, Wyoming as of March 11, 2020; and

WHEREAS, Teton County has eight (8) confirmed cases of the Coronavirus (COVID-19) with documentation of community spread as of Friday, March 27, 2020; and

WHEREAS, the Teton County Board of County Commissioners have authority and jurisdiction over the unincorporated areas of Teton County, Wyoming; and

WHEREAS, the Jackson Hole Fire/EMS Department is a joint Fire/EMS department of Teton County, Wyoming, a duly organized county of the State of Wyoming, and the Town of Jackson, a Wyoming municipality, and operates under the direction and supervision of Teton County and is overseen by Fire Chief Brady Hansen; and

WHEREAS, Teton County and the Town of Jackson have formed the Teton Health District which encompasses all of Teton County, Wyoming, including the Town of Jackson, a Wyoming municipality; and

WHEREAS, Teton County oversees the Teton County Health Department, which is overseen by Jodie Pond, Director of Teton County Health Department; and

WHEREAS, Chief Todd Smith is the police chief of the Jackson Police Department, which is overseen by the Jackson Town Council; and

WHEREAS, Sheriff Matt Carr is the elected Teton County Sheriff of Teton County, Wyoming; and

WHEREAS, the Teton County Board of County Commissioners and the Town of Jackson, Wyoming desire to grant the power to oversee the complete management of the COVID-19 Response Incident to a Unified Command whose members shall be:

Fire Chief Brady Hansen, Jackson Hole Fire/EMS
Jodie Pond, Director, Teton County Health Department
Sheriff Matt Carr, Teton County Sheriff
Police Chief Todd Smith, Jackson Police Chief

NOW THEREFORE, be it resolved by the Teton County Board of County Commissioners that the Unified Command to oversee the complete management of the COVID-19 Response Incident shall be comprised of the following members:

Fire Chief Brady Hansen, Jackson Hole Fire/EMS
Jodie Pond, Director, Teton County Health Department
Sheriff Matt Carr, Teton County Sheriff
Police Chief Todd Smith, Jackson Police Chief; and

IT IS FURTHER RESOLVED, that the Unified Commanders (UC), shall give regular reports to the Jackson Town Council through its Town Manager, and the Teton County Board of County Commissioners through the County Commissioners' Administrator, and to the other Teton County Elected Officials; and

IT IS FURTHER ORDERED, that the UC shall continue to collaborate and consult with the Teton District Health Officer; and

IT IS FURTHER RESOLVED that the Teton County Board of County Commissioners and Jackson Town Council shall communicate with the UC through the County Commissioners' Administrator and Town Manager; and

IT IS FURTHER RESOLVED, that the UC shall adhere to relevant and applicable laws, policies, and professional standards; and

IT IS FURTHER RESOLVED, that the UC shall manage this incident under standard protocols and procedures for the incident command system (ICS) and the National Incident Management System (NIMS); and

IT IS FURTHER RESOLVED, that the UC shall manage the incident in order of the highest priority to the lowest priority as delineated below:

1. Provide for Emergency Responder and Public Health/Healthcare employee safety.
2. Provide for the protection of public health safety from the COVID-19 disease.
3. Provide timely, accurate, and relevant information to the public regarding the incident.
4. Coordinate response with the Wyoming Department of Health and with the Teton District Health Officer.
5. Mitigate the spread of the COVID-19 disease within the Teton County, Wyoming population.
6. Provide for minimal disruption of access to critical community services. Access must be consistent with the safety of the public.
7. Coordinate with the Teton County Emergency Operations Center for resource requests and information sharing.

IT IS FURTHER ORDERED that the UC shall comply with the following:

1. That the delegation carries full responsibility for the complete management of the COVID-19 Response Incident within Teton County, Wyoming, including within the City of Jackson, Wyoming.
2. All UCs shall sign the delegation letter accepting command.

- 3. That the UC shall organize, manage and direct the assigned resources for complete management of the COVID-19 Response Incident.
- 4. That the UC is accountable to the Teton County Board of County Commissioners and the Jackson Town Council through their respective designated representatives, the County Commissioners’ Administrator and the Town Manager.
- 5. That assumption of command began as of March 16, 2020 and shall continue until such time as this Resolution is revoked or modified.
- 6. That the UC shall maintain close coordination with all affected agencies to ensure a safe and efficient transfer of command and continuous, transparent communication.
- 7. Keep all agency administrators, including the Teton County Board of County Commissioners and Jackson Town Council, apprised of incident progress.

PASSED, APPROVED, AND ADOPTED this __ day of _____ 2020.

TETON COUNTY, WYOMING

Natalia D. Macker, Chairwoman
Teton County Board of County Commissioners

Attest: _____
Sherry L. Daigle, Teton County Clerk

PASSED, APPROVED, AND ADOPTED this __ day of _____ 2020.

TOWN OF JACKSON

Pete Muldoon, Mayor

ATTEST:

By: _____
Sandra P. Birdyshaw, Town Clerk

Reviewed and Agreed:

Sheriff Matt Carr
Teton County Sheriff

Chief Brady Hansen
Jackson Hole Fire/EMS

Chief Todd Smith
Jackson Police Chief

Jodie Pond, Director
Teton County Health Department