

Joint Information Meeting

TOWN COUNCIL & COUNTY COMMISSIONER MEETING

August 2, 2021

3:00 PM

In Person and Virtual from Teton County Chambers

Chair: Natalia Macker

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. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/82235489108>

If the link does not work, join at zoom.com with Webinar ID **822 3548 9108**

or join by phone **1.669.900.6833** with Webinar ID **822 3548 9108**

II. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENTS

III. PUBLIC COMMENT

This section is reserved for comments on items that are not otherwise included in this agenda. Public comment is limited to 3 minutes. As a general practice, the Electeds will not hold discussion or debate these comments. Nor will they make any decisions presented during this time, but rather refer to staff for follow-up. If you would like to communicate with the Electeds during the meeting, please address them during this open public comment, when public comment is called for on a specific agenda item or send an email to council@jacksonwy.gov and commissioners@tetoncountywy.gov.

IV. CONSENT CALENDAR

A. Meeting Minutes

1. July 6, 2021 Special JIM
2. July 12, 2021 JIM

V. DISCUSSION/ACTION ITEMS

A. TTB Request to Change Board from 7 to 9 Members

VI. EXECUTIVE SESSION

Pursuant to Wyoming Statute §16-4-405(a)(ii) to Consider Appointments to a Volunteer Board, Specifically the Appointment of a Board Members as a Public Officer.

VII. MATTERS FROM COUNCIL, COMMISSIONERS AND STAFF

VIII. PROPOSED ITEMS FOR FUTURE JOINT INFORMATION MEETINGS

- A. 9/6 Rec Center Expansion
- B. 9/6 Housing Rules and Regs Adoption
- C. 9/6 Northern South Park Discussion

IX. 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.

**SPECIAL JOINT INFORMATION PROCEEDINGS
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING**

JULY 6, 2021

JACKSON, WYOMING

The Jackson Town Council met in conjunction with the Teton County Commission in a virtual joint information meeting (JIM) located in the County Commissioner's Chambers located at 200 S. Willow St. at 1:31 P.M.

I. ROLL CALL. Upon roll call the following were present via Zoom:

COUNTY COMMISSIONERS: Chairwoman Natalia Macker, Vice-Chairman Luther Propst, Mark Barron, and Greg Epstein. Mark Barron joined the meeting at 1:46 P.M. Mark Newcomb was absent.

TOWN COUNCIL: Mayor Hailey Morton Levinson, Vice-Mayor Arne Jorgensen, Jim Rooks and Jonathan Schechter.

II. EXECUTIVE SESSION. On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Propst to enter executive session. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Jorgensen and seconded by Councilmember Schechter to enter executive session. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried for the Town.

The meeting entered executive session at 1:33 P.M.

Commission Present: Natalia Macker, Luther Propst and Greg Epstein were present via Zoom. Mark Barron joined at 1:46 P.M.

Council Present: Hailey Morton Levinson, Arne Jorgensen, Jim Rooks, and Jonathan Schechter were present via Zoom.

Staff: Alyssa Watkins, Board of County Commissioners Administrator.

Clerk: Maureen Murphy, County Clerk and Chalice Weichman, Deputy County Clerk.

On behalf of the County, a motion was made by Commissioner Propst and seconded by Commissioner Epstein to exit executive session. Chairwoman Macker called for a vote. The vote showed all in favor and the County exited executive session at 2:27 P.M.

The Town exited executive session at 2:27 P.M.

III. BOARD APPOINTMENTS. On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Propst to appoint Erik Dombroski to the Travel and Tourism Board for a term of three years to expire June 30, 2024. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Schechter and seconded by Councilmember Rooks to appoint Erik Dombroski to the Travel and Tourism Board for a term of three years to expire June 30, 2024. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

One position remains unfilled.

IV. ADJOURN. On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Rooks and seconded by Councilmember Schechter to adjourn. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

The meeting adjourned at 2:29 P.M.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk

**JOINT INFORMATION PROCEEDINGS
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING**

JULY 12, 2021

JACKSON, WYOMING

The Jackson Town Council met in conjunction with the Teton County Commission in a joint information meeting (JIM) located in the County Commissioner's Chambers located at 200 S. Willow St. at 2:34 P.M.

I. ROLL CALL. Upon roll call the following were present:

COUNTY COMMISSIONERS: Chairwoman Natalia Macker, Vice-Chairman Luther Propst, Mark Barron, Mark Newcomb, and Greg Epstein.

TOWN COUNCIL: Mayor Hailey Morton Levinson, and Jim Rooks present in-person, and Jessica Sell Chambers and Vice-Mayor Arne Jorgensen were present via Zoom. Councilmember Jonathan Schechter was absent.

STAFF: Larry Pardee, Maureen Murphy, Tyler Sinclair, April Norton, Stacy Stoker, Abigail Moore, Alyssa Watkins, Roxanne Robinson, Lea Colasuonno, and Chalice Weichman.

II. ENERGY CONSERVATION WORKS (ECW) VOLUNTEER BOARD INTERVIEWS.

On June 22, 2021, the Town and County met in a special meeting for the purpose of conducting interviews for the Energy Conservation Works joint volunteer board. The following two applicants were not able to attend the meeting on that date and were interviewed at this meeting:

- 1. James Speyer**
- 2. Laura Bonich**

III. EXECUTIVE SESSION. On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to enter executive session pursuant to Wyoming Statute §16-4-405(a)(ii), to consider appointments to volunteer boards, specifically the appointment of a board member as a public officer. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Rooks and seconded by Councilmember Jorgensen to enter executive session pursuant to Wyoming Statute §16-4-405(a)(ii), to consider appointments to volunteer boards, specifically the appointment of a board member as a public officer. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

The meeting entered executive session at 2:49 P.M.

Commission present: Natalia Macker, Luther Propst, Greg Epstein, Mark Barron and Mark Newcomb were present.

Town Council present: Hailey Morton Levinson and Jim Rooks were present in-person and Arne Jorgensen, and Jessica Chambers were present via Zoom.

Clerk: Maureen Murphy, County Clerk and Chalice Weichman, Deputy County Clerk.

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to exit executive session. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

The Town exited executive session and the meeting exited executive session at 2:51 P.M.

APPOINTMENTS. On behalf of the County, motion was made by Commissioner Barron and seconded by Commissioner Propst to appoint Jim Speyer and Laura Bonich to terms expiring June 30, 2024, and Jim Obrien to fill a term expiring June 30, 2023. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Rooks and seconded by Councilmember Jorgensen to appoint Jim Speyer and Laura Bonich to terms expiring June 30, 2024, and Jim Obrien to fill a term expiring June 30, 2023. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

The meeting recessed at 2:53 P.M. and reconvened at 3:00 P.M.

III. PUBLIC COMMENT. None.

III. CONSENT CALENDAR.

- A. Meeting Minutes.** To approve the meeting minutes for the June 7, 2021 and the June 22, 2021 meetings as presented.

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the consent calendar for today's joint information meeting that includes the minutes for the June 7, 2021 JIM meeting and the June 22, 2021 special JIM meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Rooks and seconded by Councilmember Chambers to approve the consent calendar for today's joint information meeting that includes the minutes for the June 7, 2021 JIM meeting and the June 22, 2021 special JIM meeting. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

IV. MATTERS FOR DISCUSSION.

IV.A. Update on the Housing Preservation Program. April Norton, Housing Director, presented to the Commission and the Council an update on the Pilot Preservation Program that launched in February 2021.

The Housing Action Plan, approved by the Commission and Council in November 2015, directs staff to "preserve existing workforce housing stock to avoid leakage" (Initiative 2.C). This initiative further directs staff to "restrict existing workforce housing, ensuring programs for households in different income categories exist."

There was no public comment.

On behalf of the County, the following motion was made by Commissioner Newcomb and seconded by Commissioner Barron: I hereby find that because persons of low income, cannot afford to pay the amounts at which private enterprise, unaided by public subsidy, provide decent safe and sanitary housing in our area of operation as defined in Wyoming Statutes, I move to direct and authorize the Jackson/Teton County Housing Authority to make the following changes to the Preservation Program:

1. Exempt current homeowners that are deed restricting homes they currently own and will continue to lie in from the Workforce Program qualification requirements only while they continue to both own and occupy the residence. This exemption only applies to the homeowners that sell the deed restriction to the Housing Authority. Any tenants/occupants of said homeowners and/or all subsequent owners, and tenants/occupants thereof, must be Qualified Households pursuant to the Housing Rules and Regulations and the recorded deed restriction.
2. Increase the maximum amount the Housing Authority can pay to purchase a deed restriction to 20% of the appraised value or sales price, whichever is lower, capped at \$200,000.

Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, the following motion was made by Councilmember Rooks and seconded by Councilmember Chambers: I hereby find that because persons of low income, cannot afford to pay the amounts at which private enterprise, unaided by public subsidy, provide decent safe and sanitary housing in our area of operation as defined in Wyoming Statutes, I move to direct and authorize the Jackson/Teton County Housing Authority to make the following changes to the Preservation Program:

1. Exempt current homeowners that are deed restricting homes they currently own and will continue to lie in from the Workforce Program qualification requirements only while they continue to both own and occupy the residence. This exemption only applies to the homeowners that sell the deed restriction to the Housing Authority. Any tenants/occupants of said homeowners and/or all subsequent owners, and tenants/occupants thereof, must be Qualified Households pursuant to the Housing Rules and Regulations and the recorded deed restriction.
2. Increase the maximum amount the Housing Authority can pay to purchase a deed restriction to 20% of the appraised value or sales price, whichever is lower, capped at \$200,000.

Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried for the Town.

IV.B. Annual Update to Housing Program Rules and Regulations. April Norton, Housing Director, and Stacy Stoker, Housing Manager, presented to the Commission and the Council changes to the Jackson/Teton County Housing Department Rules and Regulations. These changes include four policy questions along with minor clarifications, and additional definitions.

In June of 2018, the Jackson Town Council ("Council") and Teton County Board of County Commissioners ("Board") adopted the Jackson/Teton County Housing Department Rules and Regulations. Staff brings proposed changes to the Council and Board annually for approval. Four policy questions are listed below. The Housing Authority Board (HAB) reviewed and discussed the policy questions at their June 2nd Regular Meeting. Staff Recommendations and HAB recommendations are included in the staff report.

1. Should individuals with a disability be exempt from employment requirements?
2. Should Deferred Action Childhood Arrivals (DACA) recipients qualify to purchase restricted housing units?
3. Should the rule that owners and tenants of restricted units may not own residential real estate within 150 miles of Teton County be changed?
4. Should the method of calculating rent for Affordable dormitory units and the definition of dormitory units be changed to make rents for dorm tenants affordable?

Public comment was given by Cynthia Benavides, Wes Clark, and Jessica Jaubert.

On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to direct staff to make the changes to the Housing Rules and Regulations, as proposed today, and release the document for the mandatory 45-day comment period. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Jorgensen and seconded by Councilmember Rooks to direct staff to make the changes to the Housing Rules and Regulations, as proposed today, and to prepare an ordinance for adoption. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried for the Town.

The meeting recessed at 4:28 P.M. and reconvened at 4:33 P.M.

IV.C. Travel and Tourism Amendment to JPA. Lea Colasuonno, Town Attorney, presented to the Commission and Council a Draft proposal for an amendment to the Agreement Establishing the Jackson Hole Travel and Tourism Joint Power Board to allow the hiring of employees.

The Town of Jackson and Teton County entered into an Agreement establishing the Jackson Hole Travel and Tourism Joint Power Board on January 4, 2011. Paragraph 10 Methods of Operation states that the "The Board shall not have employees ... " With the ongoing discussion surrounding creating a Destination Management and Marketing Organization and the RFP being issued for a new executive director, there has been discussion of by the Travel and Tourism Board of asking the Town of Jackson and Teton County to remove the prohibition that does not allow the Travel and Tourism Board to have employees. The Travel and Tourism Board voted at their April 2021 board meeting to make this request to the Town Council and the Board of County Commissioners.

Comments were made by Brian Gallagher, Travel and Tourism Board Chair.

Public comment was given by Brian Modena and Alex Klein.

Abigail Moore, Deputy County Attorney, answered questions from the Board.

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve Amendment #1 to the 2011 Agreement establishing the Jackson Hole Travel and Tourism Joint Powers Board. Chairwoman Macker called for the vote. The vote showed none in favor and the motion failed unanimously for the County.

On behalf of the Town, a motion was made by Councilmember Rooks and seconded by Mayor Morton Levinson to approve Amendment #1 to the 2011 Agreement establishing the Jackson Hole Travel and Tourism Joint Powers Board. Mayor Morton Levinson called for the vote. The vote showed two in favor with Councilmember Rooks and Mayor Morton Levinson opposed, and the motion failed 2-2 for the Town.

County Adjourns. On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried for the County.

The County adjourned at 5:12 P.M.

VI. TOWN ACTION. Action on Executive Session from July 6th, 2021.

On behalf of the Town, a motion was made by Councilmember Rooks and seconded by Councilmember Chambers to direct staff to continue negotiations with regard to the real estate purchase offer. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

Town Adjourns. On behalf of the Town, a motion was made by Councilmember Chambers and seconded by Councilmember Jorgensen to adjourn. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

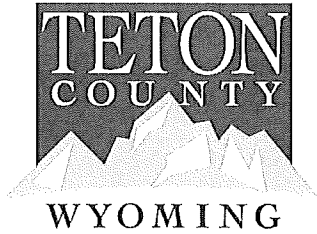
The meeting adjourned at 5:13 P.M.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk



**BOARD OF COUNTY
COMMISSIONERS**



TOWN COUNCIL

**JOINT INFORMATION MEETING
AGENDA DOCUMENTATION**

MEETING DATE: July 28, 2021

SUBMITTING OFFICE: County Attorney's Office

PRESENTER: Keith Gingery, Chief Deputy County Attorney

SUBJECT: Amendment to the 2011 Agreement Establishing the Jackson Hole Travel and Tourism JPB increasing the number of board members from 7 to 9.

STATEMENT/PURPOSE

Increase the number of board members on the Jackson Hole Travel and Tourism Joint Power Board from 7 to 9

BACKGROUND/ALTERNATIVES

The Town of Jackson and Teton County entered into an agreement in 2011 establishing the Jackson Hole Travel and Tourism Joint Power Board. Paragraph 4 of the 2011 Agreement established a 7 member board. Wyoming Statute §16-1-106(a) only provides a minimum number of board members and does not provide a maximum number of members to be on a joint power board. The minimum is 5.

The Jackson Town Council and Teton County Board of County Commissioners have discussed increasing the number of board members from 7 members to 9 members.

The current board consists of the following members and terms:

Gallagher	6/22
Madera	6/22

Carlson	6/23
Valentino	6/23
Brooks	6/23

Dombroski	6/24
Unfilled	6/24

The amendment is worded to have one of the two new board members have a term end in 6/22 and the other new board member have a term that ends on 6/24. This would then provide for 3 board member's terms to end each year.

ATTACHMENTS

First Amendment

FISCAL IMPACT

None

STAFF IMPACT

None

LEGAL REVIEW

Gingery

SUGGESTED MOTION

I move to approve the First Amendment to the Agreement Establishing the Jackson Hole Travel and Tourism Joint Powers Board to increase the number of board members from 7 to 9 on the Jackson Hole Travel and Tourism Joint Powers Board

FIRST AMENDMENT TO THE AGREEMENT ESTABLISHING JACKSON HOLE TRAVEL AND TOURISM JOINT POWERS BOARD

This First Amendment to the Agreement Establishing the Jackson Hole Travel and Tourism Joint Powers Board is made and entered into to be effective as of the ____ day of ____, 2021, by and between the Town of Jackson, Wyoming, a Municipal Corporation of the State of Wyoming, hereinafter referred to as "Town", and Teton County, Wyoming, a duly organized county of the State of Wyoming, hereinafter referred to as "County."

WITNESSETH:

WHEREAS, The Town of Jackson and Teton County entered into an Agreement establishing the Jackson Hole Travel and Tourism Joint Powers Board ("JPA") on January 4, 2011; and

WHEREAS, the parties wish to amend the JPA to change the number of board members from seven (7) to nine (9); and

WHEREAS, Wyoming Statute §16-1-106(a) states that joint power boards shall consist of not less than 5 members, but a maximum number of members is not provided;

NOW THEREFORE, it is hereby resolved by the Town and County in consideration of the foregoing and of the cooperation to be had between the parties and the performance of the promises contained herein, and the parties hereto agree as follows:

Paragraph 4. Board Composition, shall be amended to reflect an increase of board members from seven (7) to nine (9) voting board members on the Jackson Hole Travel and Tourism Joint Power Board the paragraph shall now read as follows:

4. **Board Composition.** The Board shall consist of ~~seven (7)~~ nine (9) voting members all of whom shall be qualified electors of Teton County, Wyoming. All members shall be appointed by joint appointment by the Board of County Commissioners of Teton County, Wyoming and the Town Council of the Town of Jackson, for three (3) year staggered terms. Two (2) of the original members shall have a term of one (1) year, two (2) of the original members shall have a term of two (2) years, and three (3) of the original members shall have a term of three (3) years. With the increase from 7 board members to 9 board members through the First Amendment approved in 2021, one (1) of the new board members shall be appointed to a term ending June 30, 2022, and one (1) of the new board members shall be appointed to a term ending on June 30, 2024. This will have the effect of the terms ending for 3 board members every year. Vacancies for unexpired terms shall be filled by joint appointment by the Board of County Commissioners and the Town Council of the Town of Jackson. A majority of the board membership shall be comprised of representatives of the travel and tourism industry. No individual board member of the board shall be personally liable for any actions or procedure of the board. When actually engaged in the performance of their duties, members of the board shall receive no compensation but shall be reimbursed for travel and per diem expenses as provided to state employees. No member of the County Commission or the Town Council may serve on the Board.

IN WITNESS WHEREOF, the undersigned have executed this agreement on the day and year indicated, but to be effective as of the day and year above written.

TOWN OF JACKSON, WYOMING

By: _____
Hailey Morton Levinson, Mayor

Dated

Attest:

By: _____
Sandy Birdyshaw, Town Clerk

BOARD OF COUNTY COMMISSIONERS
OF TETON COUNTY, WYOMING

By: _____
Natalia D. Macker, Chair

Dated

Attest:

By: _____
Maureen E. Murphy, County Clerk

STATE OF WYOMING
OFFICE OF ATTORNEY GENERAL

In accordance with Wyo. Stat. §16-1-105(a)(ii), I hereby certify that the foregoing First Amendment to the Agreement establishing the Jackson Hole Travel and Tourism Joint Powers Board was received by this office and has been reviewed and is approved as to form and with respect to compliance with the Constitution and Law of the State of Wyoming. The approval of this First Amendment to the January 4, 2011 Agreement Establishing the Jackson Hole Travel and Tourism Joint Powers Board is limited to the terms and conditions of the Agreement and Amendment themselves, and the approval does not extend to any activities, services, project or financing of any activities, services or project contemplated under the Agreement or Amendment.

Approved this ____ day of _____, 2021

ATTORNEY GENERAL

By: _____
Bridget Hill
Attorney General
State of Wyoming