

**From:** Jessica Moody <jessica.moody@ecipda.net>  
**Sent:** Friday, January 15, 2016 12:44  
**To:** Mike May  
**Cc:** robertr@aquaeng.com  
**Subject:** Memorandum: Addendum No. 1 to ERR Driggs Water Improvement  
**Attachments:** Threatened, Endangered and Candidate Species and EFH Determination - Dri....pdf; Driggs Letter to DEQ.PDF; Public Participation Information.pdf; Environmental Review Letter (2nd) - Driggs DWG - 16 Dec 2015.pdf; Driggs Water System Improvement Project - Addendum No. 1 to Environmenta... (00000002).pdf

Good Afternoon Mike,

Please see the attached Addendum No. 1 to the Environmental Review Record for the City of Driggs Water Improvement Project Grant Number DWG-135-2013-5. I have also attached the appropriate attachments which follow the Addendum. Should you need anything else, please feel free to contact AQUA Engineering or The Development Company. Thank you.

***Jessica J. Moody***

*Project Administrator*

The Development Company

299 East 4<sup>th</sup> North

Rexburg, Idaho 83440

**Mobile ((360) 989-6159** | Phone ( (208)356-4524 ext. 316 | Fax ( (208) 356-4544

Email \* [Jessica.Moody@ecipda.net](mailto:Jessica.Moody@ecipda.net)

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**MEMO**

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**TO:** Robert Rousselle, P.E., Aqua Engineering ([robertr@aquaeng.com](mailto:robertr@aquaeng.com))  
Jessica Moody, The Development Company ([jessica.moody@ecipda.net](mailto:jessica.moody@ecipda.net))  
Kent Erickson, P.E., USDA Rural Utilities Service ([kent.Erickson@id.usda.gov](mailto:kent.Erickson@id.usda.gov))

**FROM:** Mike May, DEQ Grant and Loan Program

**SUBJECT:** City of Driggs Drinking Water Improvements  
**REVISED Threatened/Endangered Species and Essential Fish Habitat Determination**

**DATE:** December 18, 2015

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The City of Driggs drinking water improvement project scope has been revised to consist of:

- Replace water mains and install loops;
- Modify storage tanks to meet state standards;
- Provide 2 portable generators and transfer switches;
- Replace water service lines to prevent freezing; and
- Upgrade SCADA telemetry.

DEQ issued a *Threatened/Endangered Species and Essential Fish Habitat* determination memorandum (ESA/EFH memo) on March 10, 2014 (appended). It was based on the 2014 project scope, a U.S. Fish and Wildlife (USF&WS) threatened and endangered species list for Teton County dated 10/23/2013 and consultation with USF&WS on 2/27/2014. The memo identified two threatened species (Canada Lynx and Grizzly Bear) and two candidate species (North American Wolverine and Whitebark Pine) and determined that the project would have no effect on these species or on Essential Fish Habitat (EFH). This ESA/EFH memo was incorporated into the 8/5/2015 Environmental Review Record for the City of Driggs Water Improvement Project prepared by The Development Company for USDA Rural Utilities Service. However, the memo was not valid for this use because the underlying species list had expired. In addition, the project scope had changed to that given above.

#### **USF&WS THREATENED, ENDANGERED AND CANDIDATE SPECIES**

The U.S. Fish and Wildlife Service (USF&WS) revised its threatened and endangered species list<sup>1</sup> during the history of this project. The final revision referenced in this memo and attached was obtained from the USF&WS' Information for Planning and Conservation (IPaC) system on November 5, 2015 and confirmed on December 15, 2015. It is based on the Proposed Project Planning Area (PPPA) shown in Figure 1 below, which corresponds to the city limits of Driggs.

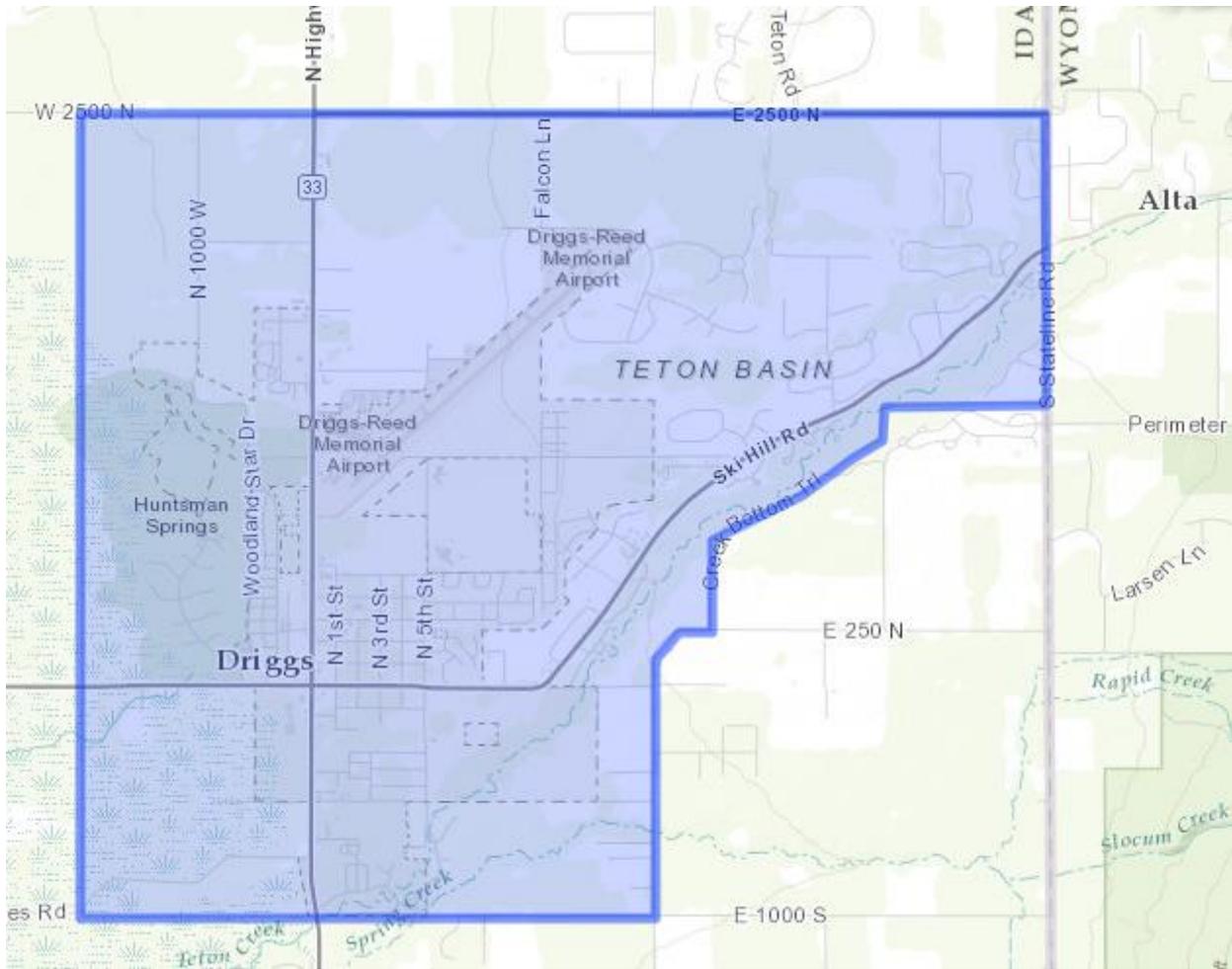


Figure 1. Proposed Project Planning Area<sup>2</sup>

The following species are listed as threatened and under the jurisdiction of USF&WS within the project area:

1. **Grizzly bear** (*Ursus arctos horribilis*) – Grizzly bears are found in Alaska, Canada and the northwestern United States, including Idaho, Montana, Washington and Wyoming.<sup>3</sup> The City of Driggs lies within the federally-defined distinct population segment (DPS) area for the Yellowstone grizzly bear DPS, and is adjacent to the 2004 Grizzly bear distribution, but outside the suitable habitat range.<sup>4</sup> The Yellowstone grizzly bear DPS was delisted as threatened by the rule establishing it, but the entire rule was vacated by the Montana District court in 2009, which reverted grizzly bears in the vicinity to the threatened lower 48 states DPS.<sup>5</sup> The lower court ruling was sustained by the Ninth Circuit Court of Appeals in 2011.<sup>6</sup> The proposed project improvements will be located entirely within the city limits of Driggs, which consists of non-forested development. Grizzly bears reside in the forest outside Driggs, particularly in the mountain ranges to the east and north of the city. **The proposed project will have NO EFFECT on the Grizzly bear.**

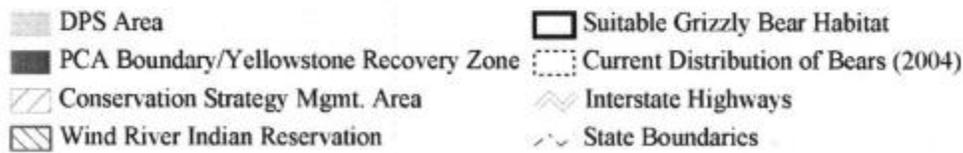
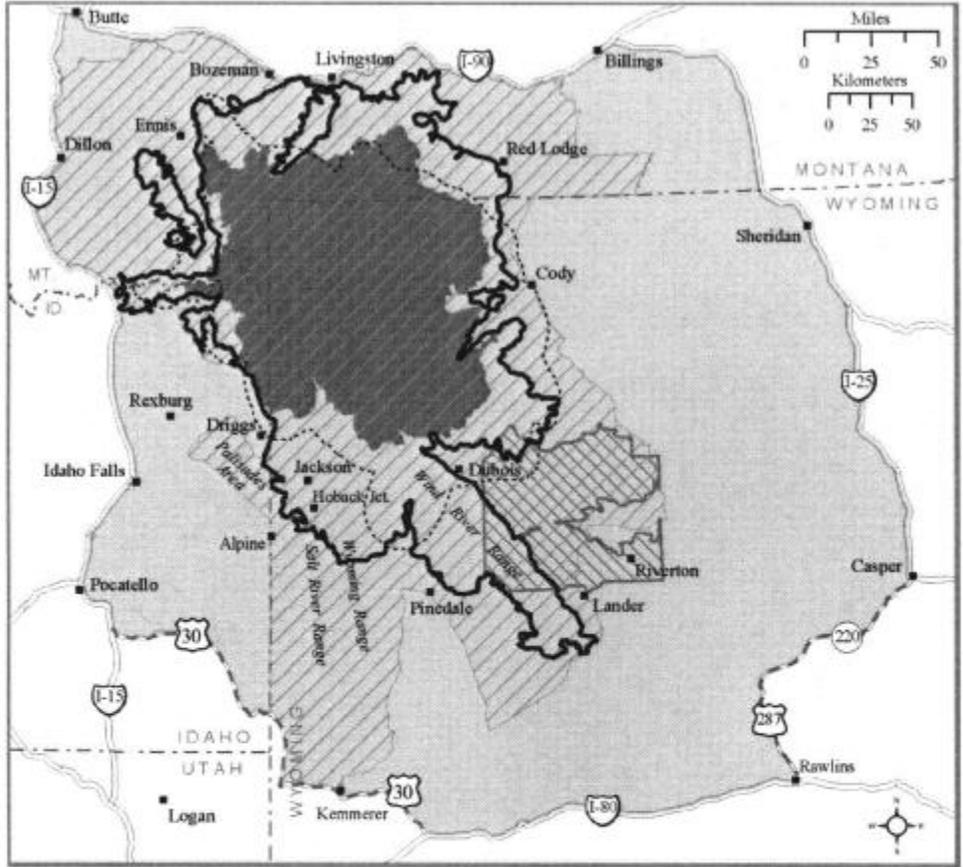


Figure 1. This figure illustrates boundaries for — (1) the Yellowstone grizzly bear Distinct Population Segment (DPS) area; and (2) the Primary Conservation Area (PCA) within which the habitat standards in the Conservation Strategy apply (the boundaries of the PCA also correspond to those of the Yellowstone Recovery Zone); (3) the Conservation Strategy Management Area in which all population and mortality standards will be monitored and calculated; (4) the current distribution of grizzly bears (Schwartz et al. 2006b, pp. 64-66); and (5) Suitable Habitat (as defined in Factor A below).

Figure 2. Yellowstone grizzly bear DPS Area<sup>7</sup>

1. **Ute ladies'-tresses** (*Spiranthes diluvalis*) – Ute ladies'-tresses is a perennial orchid with 7- to 32-inch stems occurring in stable wetland and seepy areas associated with riparian edges, gravel bars, old oxbows, high flow channels and moist to wet meadows along perennial streams.<sup>8</sup> The map below shows that known or presumed Ute ladies'-tresses habitat intersect with the project PPPA only in the wetlands area in its southwestern corner. However, comparison with the attached project map shows that there are no proposed project activities in or near these wetlands areas. Therefore **the proposed project will have NO EFFECT on Ute ladies'-tresses.**

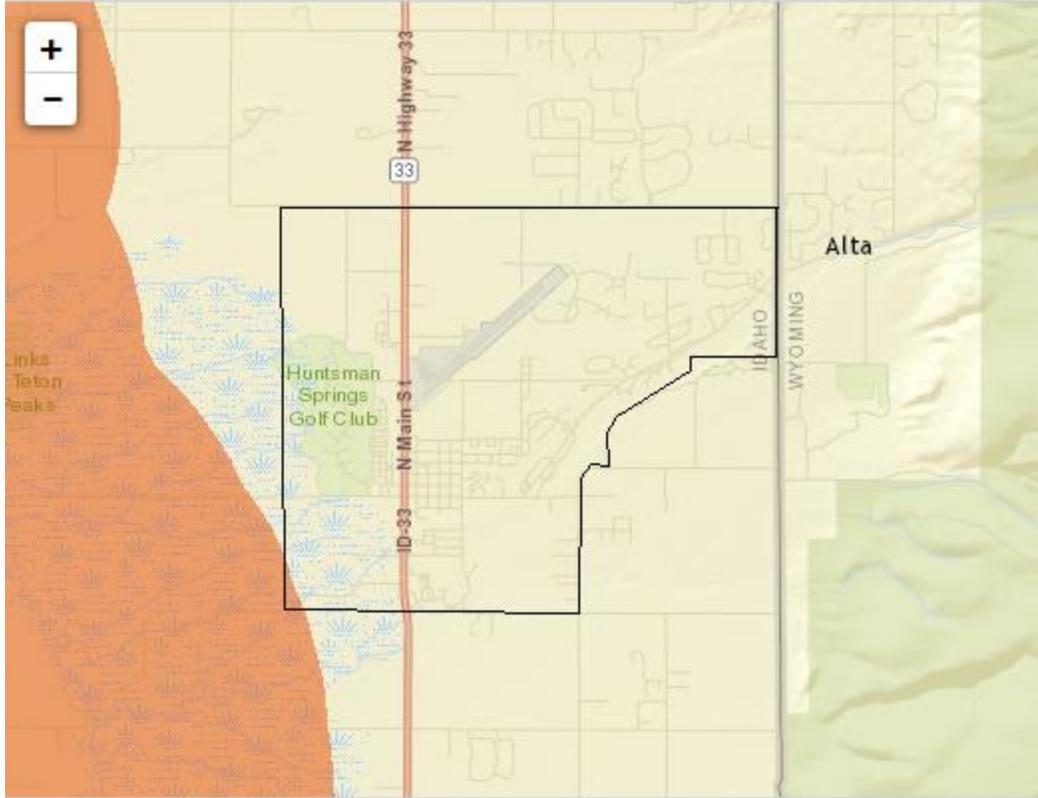


Figure 3. Ute ladies'-tresses habitat,<sup>9</sup> with approximate PPPA overlay

## ESSENTIAL FISH HABITAT

Oceangoing fish are blocked from the upper reaches of the Snake River watershed by dams in Hells Canyon. The City of Driggs is outside the range of Fish Habitat (EFH), as shown on the attached map. **Therefore, the project will have NO EFFECT Essential Fish Habitat.**

## MLM

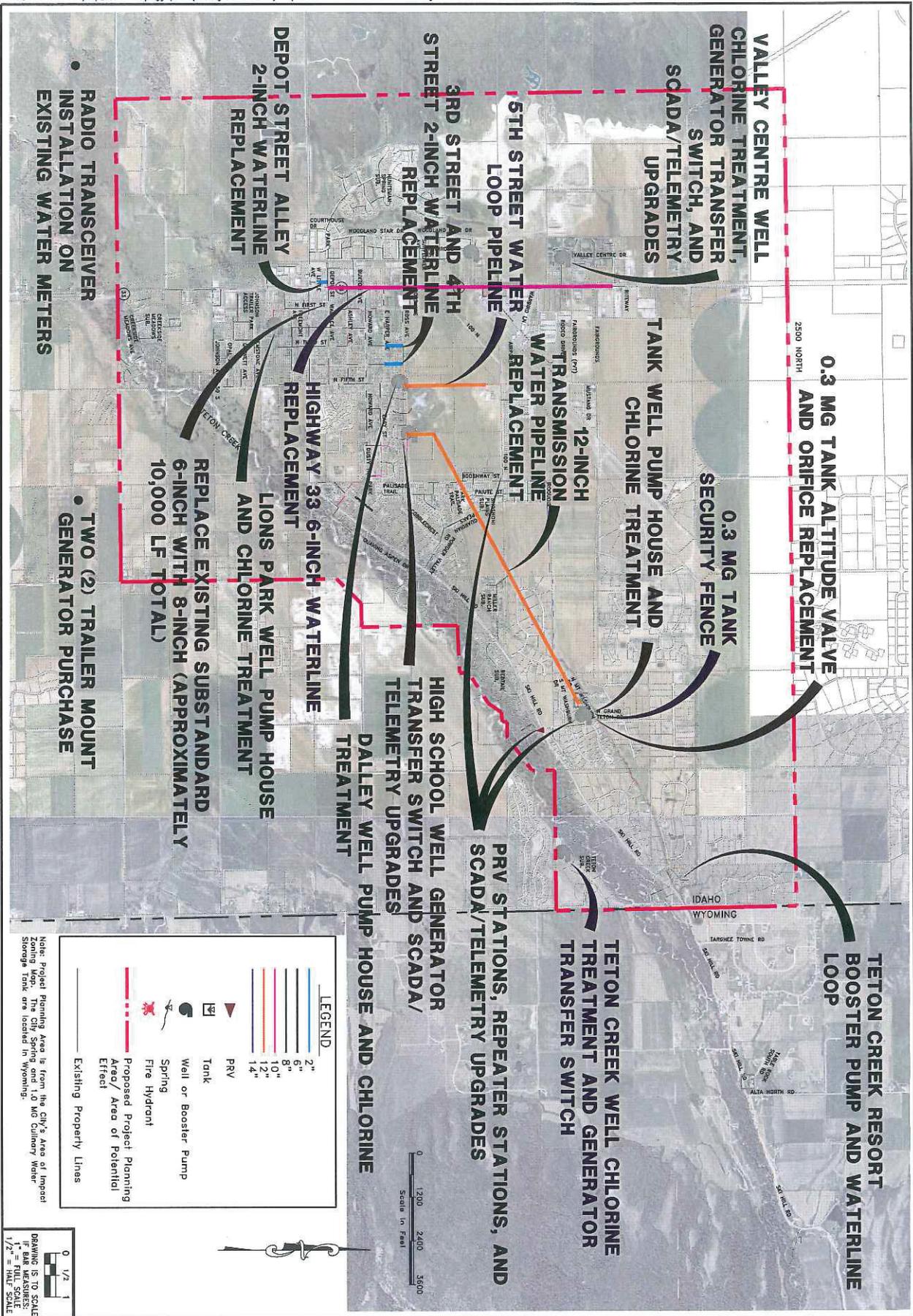
Attachments: Project Map  
Idaho Species List, last downloaded December 16, 2015  
DEQ, Chinook Salmon Essential Fish Habitat in Idaho (map)  
USF&WS consultation, 2014  
Prior ESA/EFH determination memo, 2014

## References

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<sup>1</sup> USF&WS, *Information for Planning and Conservation*, <http://ecos.fws.gov/ipac/>, last downloaded Dec. 16, 2015.

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- <sup>2</sup> The Development Company, *Environmental Review Record for the City of Driggs Water Improvement Project*, August 5, 2015
- <sup>3</sup> USF&WS, *Species profile for Grizzly bear*, [ecos.fws.gov/tess\\_public/profile/speciesProfile?sPCODE=A001](https://ecos.fws.gov/tess_public/profile/speciesProfile?sPCODE=A001), accessed December 16, 2015.
- <sup>4</sup> *Federal Register*, Vol. 72, Page 14866, March 29, 2007, *Final rule designating the greater Yellowstone area population of Grizzly bears as a distinct population segment, etc.*
- <sup>5</sup> *Federal Register*, Vol. 75, Page 14496, March 26, 2010, *Reinstatement of protections for the Grizzly bear in the Greater Yellowstone Ecosystem in compliance with court order.*
- <sup>6</sup> National Park Service, *Grizzly Bears and the Endangered Species Act*, [www.nps.gov/yell/learn/nature/bearesa.htm](http://www.nps.gov/yell/learn/nature/bearesa.htm), accessed December 16, 2015.
- <sup>7</sup> *Federal Register*, Vol. 72, Page 14866, March 29, 2007, Figure 1 (on page 14876).
- <sup>8</sup> USF&WS Nevada Fish & Wildlife Office, *Ute ladies'-tresses*, [www.fws.gov/nevada/protected\\_species/plants/species/ute\\_ladies\\_tresses.html](http://www.fws.gov/nevada/protected_species/plants/species/ute_ladies_tresses.html), accessed December 16, 2015.
- <sup>9</sup> USF&WS, *Species profile for Ute ladies'-tresses*, [ecos.fws.gov/tess\\_public/profile/speciesProfile?sPCODE=Q2WA](https://ecos.fws.gov/tess_public/profile/speciesProfile?sPCODE=Q2WA), accessed December 16, 2015.



 533 W 2800 S, SUITE 275, BOUNTIFUL, UT 84010 PHONE (801) 299-1327 FAX (801) 299-0153	DRIGGS, IDAHO <b>DRIGGS WATER SYSTEM IMPROVEMENT PROJECT</b> PROPOSED PROJECT PLANNING AREA MAP	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">NO.</th> <th style="width: 10%;">DATE</th> <th style="width: 10%;">DESIGN</th> <th style="width: 10%;">DRAWN</th> <th style="width: 10%;">CHECKED</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>6/30/2015</td> <td>RJR</td> <td>RJR</td> <td>RJR</td> </tr> <tr> <td colspan="5" style="text-align: center;">REVISIONS</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESIGN	DRAWN	CHECKED	0	6/30/2015	RJR	RJR	RJR	REVISIONS														
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# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Idaho Fish and Wildlife Office  
1387 SOUTH VINNELL WAY, SUITE 368  
BOISE, ID 83709  
PHONE: (208)378-5243 FAX: (208)378-5262

Consultation Code: 01EIFW00-2016-SLI-0088

December 16, 2015

Event Code: 01EIFW00-2016-E-00194

Project Name: Driggs Drinking Water Improvements

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

## To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

Please note: The IPaC module for producing a list of proposed and designated critical habitat is currently incomplete. At this time, we ask that you use the information given below to determine whether your action area falls within a county containing proposed/designated critical habitat for a specific species. If you find that your action falls within a listed county, use the associated links for that species to determine if your action area actually overlaps with the proposed or designated critical habitat.

**Canada Lynx (*Lynx canadensis*) - Designated February 24, 2009.**  
Counties: Boundary County.

Federal Register Notice:

<http://www.gpo.gov/fdsys/pkg/FR-2009-02-25/pdf/E9-3512.pdf#page=1>

Printable Maps:

[http://www.fws.gov/mountain-prairie/species/mammals/lynx/criticalhabitat\\_files/20081222\\_fedre](http://www.fws.gov/mountain-prairie/species/mammals/lynx/criticalhabitat_files/20081222_fedre)

GIS Data: [http://criticalhabitat.fws.gov/docs/crithab/zip/lynx\\_ch.zip](http://criticalhabitat.fws.gov/docs/crithab/zip/lynx_ch.zip)

KML for Google Earth: (None Currently Available)

**Selkirk Mountains Woodland Caribou (*Rangifer tarandus Caribou*) - Proposed November 30, 2011.**

Counties: Bonner and Boundary Counties.

Federal Register Notice: <http://www.fws.gov/idaho/home/2011-30451FINALR.pdf>

Printable Maps: [http://www.fws.gov/idaho/home/Map1\\_sub1\\_150.pdf](http://www.fws.gov/idaho/home/Map1_sub1_150.pdf)

GIS Data: (None Currently Available)

KML for Google Earth: (None Currently Available)

**Bull Trout (*Salvelinus confluentus*) - Designated September 30, 2010.**

Counties: Adams, Benewah, Blaine, Boise, Bonner, Boundary, Butte, Camas, Clearwater, Custer, Elmore, Gem, Idaho, Kootenai, Lemhi, Lewis, Nez Perce, Owyhee, Shoshone, Valley, and Washington Counties.

Federal Register Notice:

<http://www.gpo.gov/fdsys/pkg/FR-2010-10-18/pdf/2010-25028.pdf#page=2>

Printable Maps: [http://www.fws.gov/pacific/bulltrout/CH2010\\_Maps.cfm#CHMaps](http://www.fws.gov/pacific/bulltrout/CH2010_Maps.cfm#CHMaps)

GIS Data: <http://criticalhabitat.fws.gov/docs/crithab/zip/bulltrout.zip>

KML for Google Earth:

[http://www.fws.gov/pacific/bulltrout/finalcrithab/BT\\_FCH\\_2010\\_KML.zip](http://www.fws.gov/pacific/bulltrout/finalcrithab/BT_FCH_2010_KML.zip)

**Kootenai River White Sturgeon (*Acipenser transmontanus*) - Designated July 9, 2008.**

Counties: Boundary County.

Federal Register Notice:

<http://www.gpo.gov/fdsys/pkg/FR-2008-07-09/pdf/E8-15134.pdf#page=1>

Printable Maps: (None Currently Available)

GIS Data: [http://criticalhabitat.fws.gov/docs/crithab/zip/fch\\_73fr39506\\_acit\\_2009.zip](http://criticalhabitat.fws.gov/docs/crithab/zip/fch_73fr39506_acit_2009.zip)

KML for Google Earth: (None Currently Available)

**Slickspot Peppergrass (*Lepidium papilliferum*) - Proposed May 10, 2011. Counties: Ada, Canyon, Elmore, Gem, Owyhee, and Payette Counties.**

Federal Register Notice: <http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27727.pdf>

Printable Maps: <http://www.fws.gov/idaho/Lepidium.html>

GIS Data: (None Currently Available)

KML for Google Earth: (None Currently Available)

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Driggs Drinking Water Improvements

## Official Species List

### Provided by:

Idaho Fish and Wildlife Office  
1387 SOUTH VINNELL WAY, SUITE 368  
BOISE, ID 83709  
(208) 378-5243

**Consultation Code:** 01EIFW00-2016-SLI-0088

**Event Code:** 01EIFW00-2016-E-00194

**Project Type:** WATER SUPPLY / DELIVERY

**Project Name:** Driggs Drinking Water Improvements

**Project Description:** City of Driggs: replace water mains and install loops; modify storage tanks to meet state standards; provide 2 portable generators and transfer switches; add chlorination at all wells; add Teton Creek Resort booster pump station; replace water service lines to prevent freezing; and upgrade SCADA telemetry.

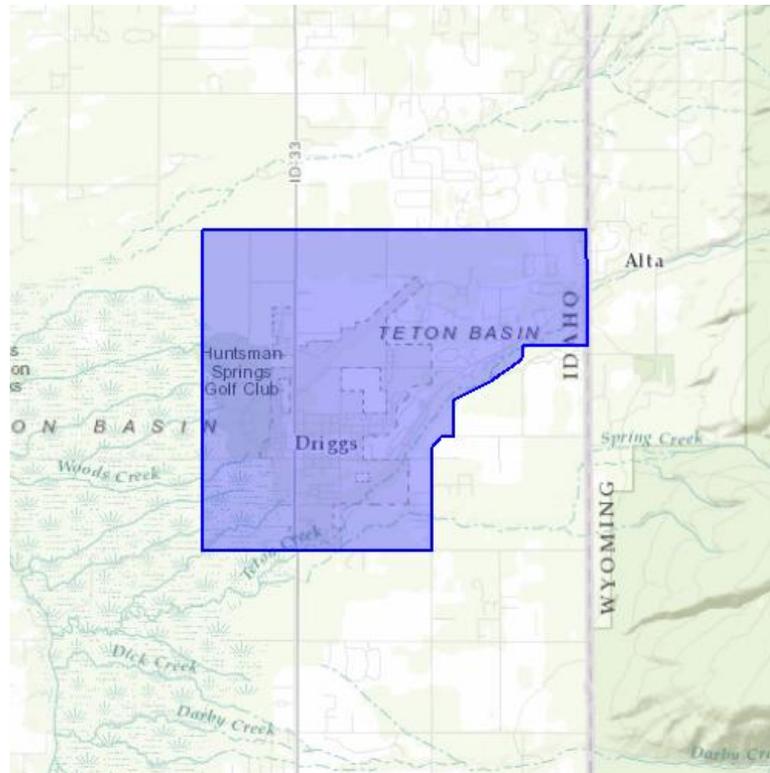
**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Driggs Drinking Water Improvements

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-111.04671478271483 43.75931662167704, -111.13134384155273 43.75931662167704, -111.13142967224121 43.70833803832912, -111.08087539672852 43.70833803832912, -111.08087539672852 43.72471545261114, -111.07881546020508 43.726452188547015, -111.07598304748534 43.72651421389918, -111.07589721679688 43.72942933300513, -111.07598304748534 43.73234431023762, -111.06800079345703 43.73513511293908, -111.06362342834473 43.7374916894919, -111.06096267700195 43.738669942989965, -111.060791015625 43.739848173302434, -111.060791015625 43.740778338750346, -111.04658603668213 43.740871354500364, -111.04671478271483 43.75931662167704)))

**Project Counties:** Teton, ID



United States Department of Interior  
Fish and Wildlife Service

Project name: Driggs Drinking Water Improvements

## Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Flowering Plants	Status	Has Critical Habitat	Condition(s)
Ute ladies'-tresses ( <i>Spiranthes diluvialis</i> )	Threatened		
<b>Mammals</b>			
Grizzly bear ( <i>Ursus arctos horribilis</i> ) Population: lower 48 States, except where listed as an experimental population or delisted	Threatened		



United States Department of Interior  
Fish and Wildlife Service

Project name: Driggs Drinking Water Improvements

## **Critical habitats that lie within your project area**

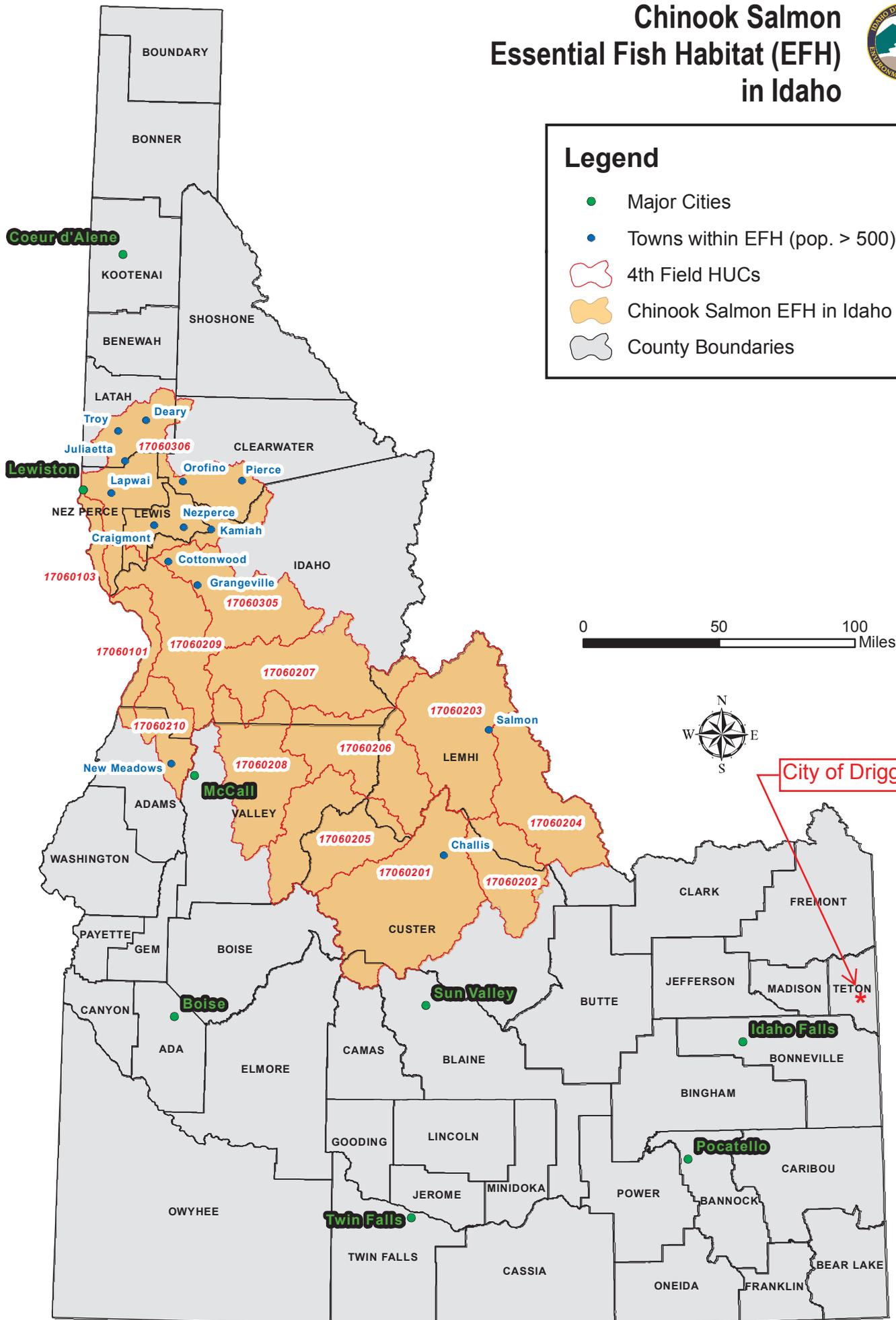
There are no critical habitats within your project area.

# Chinook Salmon Essential Fish Habitat (EFH) in Idaho



## Legend

- Major Cities
- Towns within EFH (pop. > 500)
- 🔲 4th Field HUCs
- 🟡 Chinook Salmon EFH in Idaho
- 🔲 County Boundaries





Caitlin Larson  
East-Central Idaho Planning & Development  
Association, Inc.  
299 East 4<sup>th</sup> North  
Rexburg, Idaho 83440  
Phone: (208) 356-4524  
Fax: (208) 356-4544  
E-mail: [caitlin.larson@ecipda.net](mailto:caitlin.larson@ecipda.net)

October 28, 2014

Bob Kibler  
U.S. Fish and Wildlife Services  
1387 S. Vinnel Way  
Boise, ID 83709

Dear Bob:

The City of Driggs, Idaho will be submitting an application for Idaho Community Development Block Grant (ICDBG) funds for The City of Driggs Water System Project. This improvement project includes replacing and repairing flow and pressure requirements, minimum pipe size standards, bury depth (freeze issues), disinfection, and emergency source power.

All ICDBG projects are subject to review under the National Environmental Policy Act.

We request your agency's comments on the potential environmental impacts of the project, specific to Rare or Endangered Species.

If we do not receive written comments within 30 days, we will assume the project has no negative impact on the environment.

If you have any questions, please contact Caitlin Larson at [caitlin.larson@ecipda.net](mailto:caitlin.larson@ecipda.net) or 208-356-4524, front desk.

  
\_\_\_\_\_  
Environmental Review Officer Signature



**United States Department of the Interior**  
**FISH AND WILDLIFE SERVICE**

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



RECEIVED BY  
FEB 27 2014  
IDAHO DEPT. OF  
ENVIRONMENTAL QUALITY

FEB 25 2014

Ester Ceja  
Idaho Department of  
Environmental Quality  
1410 North Hilton  
Boise, Idaho 83706

Subject: Proposed City of Driggs Drinking Water Improvement Project in  
Teton County, Idaho.  
Species Request 2014-TA-0206

Dear Ms. Ceja:

The U.S. Fish and Wildlife Service (Service) is writing in response to your request for information about the potential impacts to endangered, threatened, proposed, and/or candidate species from the proposed City of Driggs Water Improvement Project in Teton County, Idaho. The Service has not identified any issues that indicate that consultation under section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.; (Act)), is needed for this project. This finding is based on our understanding of the nature of the project, local conditions, and/or current information indicating that no listed species are present. If you determine otherwise or require further assistance, please contact Nisa Marks ([Nisa\\_Marks@fws.gov](mailto:Nisa_Marks@fws.gov)) of this office at (208)237-6975 ext. 121.

Thank you for your interest in endangered species conservation.

Sincerely,

David Kampwerth  
Field Supervisor

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MEMO

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**TO:** ROBERT ROUSSELLE, AQUA ENGINEERS  
**FROM:** ESTER CEJA – DEO GRANT AND LOAN PROGRAM  
**SUBJECT:** CITY OF DRIGGS – DRINKING WATER IMPROVEMENT PROJECT -  
THREATENED/ENDANGERED SPECIES AND ESSENTIAL FISH HABITAT  
**DATE:** MARCH 10, 2014

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The City of Driggs drinking water improvement project includes the following:

- Installation of approximately 2,700 lineal feet of new 12-inch water line on 5<sup>th</sup> Street by the elementary school to the existing 12-inch line on Ross Avenue near the high school
- Installation of approximately 9,132 lineal feet of new 12-inch transmission water line near the intersection of Ross Avenue and Buffalo Trail and ends at the city's existing property where the 300,000 million gallon tank is located. Work will be completed along an existing 12-inch transmission water line right-of-way
- Installation of a new pump house, chlorine treatment, and re-equipping the existing trunk well. The project is located southwest of the intersection of Targhee Ranch Drive and North Mount Washburn Drive. Improvements will occur on city property.

The U.S. Fish and Wildlife threatened and endangered species list revised date of 10/23/2013 was used for determining endangered, threatened, and proposed species within Teton County. The USFWS was consulted and provided a response (2/27/14). The following species are listed within Teton County:

1. **Canada Lynx** (threatened) - Canadian Lynx reside in boreal forest landscapes and provide one or more of the following beneficial habitat elements including snowshoe hares for prey, abundant, large, woody debris piles that are used as dens, and winter snow conditions that are generally deep and fluffy for an extended period of time. The proposed project planning area does not include suitable habitat for the species. The proposed drinking water improvements will have "NO EFFECT" on Canadian Lynx.
2. **Grizzly Bear** (threatened) - Grizzly bears are found in Alaska, in Canada and the northwestern United States including Idaho, Montana, Washington, and Wyoming. In Idaho they can be found in the Selkirk Mountains range and the Yellowstone area in southeastern Idaho. The proposed project improvements will be occurring in the city which consists of residential non-forested development. Grizzly bear reside in the forest outside of Driggs, particularly the eastern and northeastern mountain ranges. The proposed project will have "NO EFFECT" on grizzly bear.
3. **North American Wolverine** (candidate) - The North American Wolverine is a proposed species which does not exist in the proposed project planning area. The proposed project will have a "NO EFFECT" on the wolverine species. Wolverines distribution is restricted to high elevation, deep persistent, and reliable spring snow cover (April 15 to May 14) is the best overall predictor of wolverine occurrence in the contiguous U.S. (<http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spscode=A0FA>). The proposed improvement is in a residential developed area surrounded by farmland.

4. **Whitebark Pine** (candidate) – The Whitebark pine is a 5 needle conifer species. The species occurs from approximately 2,950 at its northern limit in British Columbia up to 12,000 in the Sierra Nevada. The Whitebark Pine is typically found at or slightly lower than alpine timberline in the upper montane zone. In the U.S. it is primarily found on public lands. The species is typically found in cold, windy, moist high elevation or high latitude sites in Western North America. The proposed improvements will have “NO EFFECT” on the candidate species as whitebark pine is not present within the project area.

**Essential Fish Habitat**

The City of Driggs drinking water improvement project is not located within Essential Fish Habitat (EFH) for Salmon as identified in the attached EFH map. Therefore there will be “NO EFFECT” on EFH.





# CITY OF DRIGGS

OFFICE OF MAYOR HYRUM F. JOHNSON

*'The Heart of Teton Valley'*  
Inc. 1910

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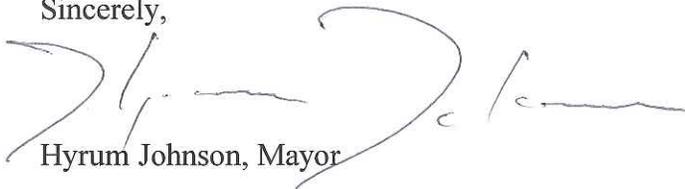
January 8<sup>th</sup>, 2016

Michael May, Sr. Water Quality Specialist  
Idaho Department of Environmental Quality  
1410 North Hilton  
Boise, Idaho 83706

Dear Mike,

On January 21, 2014, the City Council of the City of Driggs approved the Facility Plan presented to the Council by Aqua Engineering with the intention of accepting the recommended alternative scope. On September 15, 2015, the City Council approved to amend the Facilities Plan to include all project documentation required by the Idaho Department of Environmental Quality.

Sincerely,



Hyrum Johnson, Mayor

cc: Robert Rousselle, P.E.  
Ted Hendricks

· The Heart of Teton Valley ·

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## Community Survey: FY 2014 Budget Priorities

The City of Driggs is seeking public input as staff begins the FY 2014 budgeting process. Please rate your #1 priority for each of the following sub-units so that we might better understand how you think the City should budget its funding for the next fiscal year. **Please respond by May 9, 2013.**



### Category: Administration and Facilities

This poll question has expired. These are the results.

- A. Upgrade internet capacity  
39
- B. Improve public communication  
39
- C. Improve Building efficiency (new roof)  
69
- D. Increase Mayor and Council salaries  
16
- E. Increase Staff salaries  
16

### Category: Water and Sewer

This poll question has expired. These are the results.

- A. Explore possibility of separate irrigation system  
10
- B. Replace shallow water lines prone to freezing  
110
- C. Public education on conservation  
30
- D. Install updated meters  
8
- E. Install advanced control System (Scada)  
3
- F. Annual service to wells and lift stations  
23

### Category: Roads and Transportation

This poll question has expired. These are the results.

- A. Improve Streetscapes and Street Lighting  
12
- B. Acquire land for Driggs-Tetonia Pathway  
79
- C. Fund Grant writing  
7
- D. Parking Development, esp. Park and Ride facility  
5
- E. Support and facilitate public transportation  
14
- F. Maintenance of existing Streets  
72

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### Category: Planning & Zoning

This poll question has expired. These are the results.

- A. Develop Neighborhood land use plans  
49
- B. Improve streetscape planning  
66
- C. Update Comprehensive Plan  
34
- D. Public Outreach/engagement  
22
- E. Web Updates/Upgrade  
12

### Category: Community & Economic Development

This poll question has expired. These are the results.

- A. Fund grant writing  
18
- B. Support and develop events like the Art Walk and Plein Air Festival  
24
- C. Create Venues for larger outdoor events like Music on Main  
34
- D. Fund a Business Development Center to attract new businesses  
41
- E. Improve Fiber optic availability  
21
- F. Develop Social media communication  
3
- G. Complete the Teton Scenic Byway Visitor Center  
46

### Category: Parks & Recreation

This poll question has expired. These are the results.

- A. Develop Greenbelt along Teton Creek  
71
- B. Acquire additional lands for Parks  
12
- C. Improve existing parks, add bathrooms etc.  
57
- D. Develop Recreational uses in City Center building  
28
- E. Support Nordic ski track near High School  
11
- F. Develop bike and Skate park at 5th Street  
9

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CITY OF DRIGGS  
COUNCIL MINUTES  
January 22, 2013

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Pursuant to adjournment of the City Council meeting held January 8, 2013, and to the call of the Mayor, the Driggs City Council met on January 22, 2013 at 7:15 p.m. Present: Council President Mosher; Council Members Dye, Jones, Mossman; Mayor Powers. Also present: City Attorney Zollinger, Planning and Zoning Director Self, and Public Works Director Gunderson. Powers led in the *Pledge of Allegiance*.

#### Approval of Minutes

- January 8, 2013: **Mossman moved to approve the January 8, 2013 minutes as corrected. Jones seconded.** Motion carried.

#### Approval of Claims

- Powers requested the addition of late SnowScapes claims in the amount of \$2,562.63 for: Team Wyoming, \$1,100, first & People's Choice; Jane Linville, \$400, second; Doug Cassidy, \$200, third; Greg Geffner \$100, honorable mention; Mary Mullaney, \$515.95, Smartsheet: Jan & coordinator stipend; Peak Printing, \$246.68.
- Questions:
  - BlackBox [Phone Repairs]
  - Teton Arts Council [Artists' City Hall Gallery Sales]
  - Crow Heating & Cooling [Ind. Bldg. Furnace Venting]
  - Ace Hardware: [misc. tools listed]
- **Jones moved to approve Claims dated January 9-22, 2013 with the addition of SnowScapes claims in the amount of \$2,562.63 as outlined above. Mosher seconded.** Motion carried.

#### Teton County Sherriff's Report: Tony Liford

- Sheriff Liford presented a summary of 2012 calls within the city limits of Driggs. He noted that call number was higher in Driggs than in Victor. A variety of factors contribute to this higher number e.g. more clustered housing, more short term housing, more schools, and traffic on Ski Hill Road
- When questioned for concerns, Liford responded that he did not have any specific concerns even with a higher number of responses. He addressed two security issues at the Reed Memorial Airport (access to security areas and gate timing) and recommended implementing a basis ID card system so officers can know whether or not someone has authority to be in restricted areas. Providing such an ID card may be possible through the current driver's licensing system.
- Sherriff personnel responded to 16,008 calls in 2012 within Driggs city limits including pocket dials (callers sitting on their cell phone), bank alarms, business alarms, public assists, special patrols, and welfare checks.

#### TVRA Rec Center Lease

- Self presented the proposed contract between the Teton Valley Recreation Association (TVRA) and the City of Driggs for a 36x36 area of the North End of the City Hall building. This area will be used by the TVRA's Yama Judo program. The City's TVRA lease allows for upward adjustment of total leased area and has a maximum term of three years (one year plus two, one year renewal options).
- Self and Etta Rokes, TVRA board member, spoke of TVRA's future goals for the North End including the addition of a climbing wall and a supervised teen center.
- Corrections to the lease requested by the Council were: Pg. 2 (3.1) monthly lease amount to \$336.96; (5.) removal of the words, an auction; (6.) removal of the parenthetical (\$.027/month/sf for year 1, and adjusted annually)
- A lengthy discussion focused on the lease provision 4.1 concerning the Lessee's ability to rent out portions of the North End to non-profit organizations. Powers clarified that the goal of this section was to have TVRA responsible for scheduling events in the North End with the understanding that a request by the Lessor (City of Driggs) to use the space cannot be 'reasonably denied'
- **Mosher moved to approve the lease of a 36x36 North End space between the City of Driggs and the Teton Valley Recreation Association, with changes noted. Dye seconded.** Motion carried.

#### **RFQ for City Engineer – Recommendation from Steering Committee, Contract**

- Self outlined the process to reach a recommendation for City Engineer. Self, Gunderson, and Powers interviewed representative of the three finalists: Forsgren Engineering, Harmony Design/Aqua Engineering, and Sunrise Engineering. The selection committee was impressed with all of the firms and would have been comfortable selecting any of the three.
- Harmony Design/Aqua Engineering was selected primarily based on the companies' combined experience working with the City and local presence.
- **Mosher moved to affirm the selection committee's recommendation of Harmony Design/Aqua Engineering to serve as the City's engineering firm. Jones seconded.** Motion carried.
- Discussion of the proposed contract between Harmony Design, Inc. [lead contact] and the City was extensive with multiple revisions requested and questions concerning conflict of interest discussed. To allow time for additional review/revision of the proposed contract, **Mosher moved to table approval of a contract between Harmony Design, Inc. and the City. Mossman seconded.** Motion carried.

#### **Aqua Engineering: Darin Hawkes – Water Study Progress**

- Craig Neeley, principle with Aqua, addressed the Council instead of Hawkes. Neeley outlined the work currently being done by Aqua for the City. Work includes the Waste Water Treatment Plant (WWTP), slowed to a crawl with the arrival of winter; and the Department of Environmental Quality (DEQ) water study. For the water study, Aqua has begun work on creating an accurate computer model of the City's lines, capacity, and growth potential. The model should point out average daily and peak demand, current and potential areas of deficiency, and fire flow coverage.
- Neeley anticipated the computer model completed by February 15, 2013, with the first draft of the Water Study Report completed by March 15<sup>th</sup>.

- In response to a question from Mosher, Neeley stated that shallow/small diameter lines in the older part of the city are a known issue, small diameter mains, and some looping at Creekside are other areas of concern.

### **Ordinance 337-12 Consolidation of Liquor Ordinances – Third Reading**

- Review of the ordinance resulted in the following revisions: Pg 5 Section 14 (c) Election Day Sales Hours –Removed; Pg 8 Section 1 (D) Hanging (E) at the end of the sentence – Removed; Pg. 8 Section 1 (D) wine corrected to beer; Pg 9 Section 6 Issuance and Display of License – no change; **Mossman moved to approve the third reading of Ordinance 337-12 Consolidation of Liquor Ordinances with changes as noted. Mosher seconded.** Motion carried. The ordinance shall be in effect after publication.

### **Utility ‘Will Serve’ for Redtail**

- Darryl Johnson, Jorgensen Engineering, requested a new ‘will serve’ letter from the Council for the Redtail Planned Unit Development (PUD). Redtail is within the City’s area of impact and received approval from the City (2008) and DEQ (2007) for water/wastewater infrastructure design and installation. The project was tabled late in 2008.
- Redtail was purchased in 2013 and the new owner(s) are seeking to amending the plat with minor changes to some of the cabin sites for location of service lines previously approved by DEQ and parking areas. Eastern Idaho Public Heath is requiring a new ‘will serve’ letter from the City for the plat amendment application to go forward.
- **Mossman moved to provide the owner(s) of the Redtail PUD a new ‘will serve’ letter for utility service from the City. Dye seconded.** Motion carried.

### **Cash Match Request for Driggs-Tetonia Pathway Land Acquisition (Idaho Parks & Rec Grant)**

- Jay Mazalewski, Teton County Engineer, requested a letter of support from the Council for a cash match from the City toward the 20% match requirement for an Idaho Parks & Recreation (IPR), Recreational Trails Program (RTP) grant. Mazalewski asked the Council for \$8,800, 23% of the 20% required match, \$194,000 project cost. The purpose of the grant would be to purchase land or easements for the old rail-bed between Tetonia and Driggs to finish the missing link between pathways from Ashton to Victor.
- Dye questioned why the grant application restricted motorized use to winter only expressing his belief that doing so discriminated against disabled users. Mazalewski countered that at this point the application is for land & easement purchase only and not design/construction of the proposed pathway. Mazalewski went on to state that the Skyliners Club, one of the organizations that provided a letter of support, encouraged multiuse but would not pull its support of the acquisition if the trail was not multiuse (motorized vs. non-motorized users).
- Mazalewski anticipates award notifications to be sent out in June or July of 2013 with one year to complete the project.
- **Mossman moved to provide a letter of support for the Tetonia to Driggs Pathway RTP grant application with a commitment of \$8,800 in match funds in fiscal year 2014 if the grant is awarded. Jones seconded.** The motion carried with Jones, Mosher, & Mossman aye; Dye nay.

## Staff Reports

### Community Development – Doug Self

- **Recreation Center Concept Design (Phase II Master Plan):** Plan One's updated conceptual layout plan for the North End of the Driggs City Center building, along with a map, list and rough estimate of initial improvements was provided for Council review. Two layout options were provided, A or B, which differed in the area of the east canopy that was enclosed.
  - Council discussion focused on the layout of internal spaces, current/anticipated tenant requirements, tie-in to City Center space already in use (City Hall) and providing up to 3,000 sq ft for the Scenic Byway Visitors' Center. To maximize interior space, the Council recommended fully enclosing the canopy, moving restroom facilities to the north or north-east, and possibly moving the proposed climbing wall further south.
  - **Mossman moved to table adoption of the Phase II Master Plan until Plan One provides a revised layout plan for review. Jones seconded.** Motion carried.
  - **Jones moved to approve design & construction documents by Plan One for the main north-south wall and south-west access door associated with the space currently rented by the Teton Indoor Sports Academy. Mosher seconded.** Motion carried.
- **City Center Plaza Design:** The Project Advisory Team (PAT) selected Design Workshop from Aspen Colorado as its top-ranked firm. A proposed contract has been received but is above budget. The PAT will review the contract and begin negotiations with Design Workshop to bring the project on budget.

### Planning & Zoning – Ashley Koehler

- **Short-term projects:** staff is currently working on sign permits, a boundary line adjustment, and an annexation request by the School District. The annexation request will be heard by the P&Z Commissioners in February and will be brought to the Council in March.
  - Staff has also begun an enforcement effort of uses and activities not complying with zoning ordinance(s). When a complaint is received, staff investigates, applying respective ordinance(s) fairly and uniformly. If found in violation, correction options are usually recommended before enforcement is begun. Dye requested that complaints be in writing. Zollinger noted that unless a complainant requests anonymity, the complainant's name should be disclosed.
- **Long-term projects:** staff has begun work to update the City's comprehensive plan; update the Airport Overlay District, and create an amendment to categorize uses into a table format to reduce the number of uses that require a conditional use permit.
- **Web Site:** staff is investigating options to change the City's website to allow more local input

### Public Works: Jared Gunderson

- **Sidewalk Snow Removal:** Going well, staff gets to them as quickly as possible
- **Broken Sprinkler:** fire alarm on 1/16 with broken sprinkler above the old walk-in freezer in the North End. Rocky Mountain Claims Service adjuster will be out to determine damages.

ICRMP notified of break. 3-D Fire Protection was out the following day to get sprinkler system on-line again.

- **Freeze-ups:** Continue to have some frozen water lines.
- **Airport Use of Canal Irrigation Water:** A request has been received from the Airport Board to use some of the City's shares in the Grand Teton Canal to green-up the land between the runway and taxiway. **Mosher moved to authorize the Reed Memorial Airport Board use of City's shares in the Grant Teton Canal to water airport property. Dye seconded.** Motion carried.
- Approval was given by the Council to replace broken bulb(s) in the Teton County Search & Rescue light used during SnowScapes activities.

**Mayor's Business:** Daniel J Powers

- Request for Utility Credit for Water Leak at 764 Palisade Trail – Jason Shiebler has submitted a written request for a \$313 credit for excess water usage due to a leak. The leak has been repaired by Shiebler. **Dye moved to approve a \$313 credit against excess water use at 794 Palisade Trail. Mossman seconded.** Motion carried.

**10:00 p.m.** Executive Session

**Mossman moved to enter Executive Session pursuant to Idaho Code 67-2345 (b) Personnel, (f) Legal Considerations. Mosher seconded.** The question was called by roll: **Dye, aye; Jones, aye; Mosher, aye; Mossman, aye.** Motion carried.

**10:17 p.m.** The Regular Session was rejoined.  
No business was conducted as a result of Executive Session.

**10:17 p.m. Adjournment**

With no further business, **Jones moved to adjourn. Dye seconded.** Motion carried.

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Daniel J Powers, Mayor

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Attest: Carol Lenz, Deputy City Clerk

Dated this 22nd Day of January, 2013.



CITY OF DRIGGS  
COUNCIL MINUTES  
May 14, 2013

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Pursuant to adjournment of the City Council meeting held May 7, 2013, and to the call of the Mayor, the Driggs City Council met on May 14, 2013 at 7:00 p.m. for a FY 2014 Budget work session. Present: Council President Mosher; Council Members Dye, Jones, and Mossman; Mayor Powers. Also present: Community Development Director Self and Finance Officer Lenz.

**Fiscal Year 2014 Budget Work Session**

- Powers reviewed the on-line FY 2014 Budget survey results with the Council. The public's first choice is listed by category:
  - Administration and Facilities      Improve Building Efficiency 39%
  - Water and Sewer                      Replace Shallow Water Lines 60%
  - Roads & Transportation              Land for Driggs-Tetonia Pathway 42%
  - Planning & Zoning                      Improve Streetscape Planning 36%
  - Com. & Econ. Development          Complete the TSBVC 25%
  - Parks & Rec.                              No stand-out choice
- Powers then gave the Council a broad overview of the proposed budget for FY 2014. After general discussion, specific questions were answered by Self, Lenz & Powers. Individual revenue and expense lines were reviewed and adjusted as deemed appropriate. Follow-up questions will be addressed at the next Council work session scheduled for 7:00 p.m. on June 11, 2013.

**9:00 p.m. Adjournment**

With no further business, the work session was adjourned.

\_\_\_\_\_  
Daniel J Powers, Mayor

\_\_\_\_\_  
Attest: Carol Lenz, Finance Officer

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2013.



CITY OF DRIGGS  
COUNCIL MINUTES  
June 11, 2013

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Pursuant to adjournment of the City Council meeting held June 4, 2013, and to the call of the Mayor, the Driggs City Council met on June 11, 2013 at 7:00 p.m. for a FY 2014 Budget work session. Present: Council President Mosher; Council Members Dye, Jones, and Mossman; Mayor Powers. Also present: Community Development Director Self, Public Works Director Gunderson, and Finance Officer Lenz.

**Fiscal Year 2014 Budget Work Session**

- Proposed budgets for FY 2014 were reviewed & refined by the Council.
- Discussion focused on support of non-city entities, transfers between funds, and use of reserve funds.
- Whether or not to hold a July 9, 2013 budget work session will be determined at the Council's regular meeting on July 2.

**9:00 p.m. Adjournment**

With no further business, the work session was adjourned.

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Daniel J Powers, Mayor

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Attest: Carol Lenz, Finance Officer

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2013.



CITY OF DRIGGS  
COUNCIL MINUTES  
February 4, 2014

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Pursuant to adjournment of the City Council meeting held January 21, 2014, and to the call of the Mayor, the Driggs City Council met on February 4, 2014 at 7:15 p.m. Present: Council President Jones; Council Members Christensen, Dye, & Mossman; Mayor Johnson. Also present: City Attorney Zollinger, Community Development Director Self, Public Works Director Gunderson, and Deputy City Clerk Lenz. Jones led in the *Pledge of Allegiance*.

#### Approval of Minutes

- January 21, 2014: **Mossman moved to approve the January 21, 2014 minutes as corrected. Dye seconded.** Motion carried.

#### Approval of Claims

- **Dye moved to approve Claims dated January 22-February 4, 2014 as presented. Jones seconded.** Motion carried.

#### Public Hearing: Water System Facility Plan Update

- Mayor Johnson noted a title correction on the agenda from 'wastewater system facility plan' to 'water system facility plan.' The corrected agenda was emailed, and posted, after the error was found
- Darin Hawkes, Assistant City Engineer from Aqua Engineering, gave a brief overview of the plan. Questions from the Council were answered with a correction requested to Table E3 (repeated in Chapter 7) and a request to include the existing 'old versus new' water user map to accompany the written discussion on page 27

**7:37 p.m.** The public hearing was opened.

- Johnson noted that no written comments were received. Public comment on the Water System Facility Study was requested:
  - For = None
  - Neutral = None
  - Against = None

**7:38 p.m.** The public hearing was closed.

- **Jones moved to adopt the Water System Facility Plan from Aqua Engineering with requested changes included. Christensen seconded.** Motion carried.

#### Environmental Information Document – Work Order Approval for Aqua Engineering

- Darin Hawkes, Aqua Engineering, explained the need for an Environmental Information Document (EID) before funding can be sought from the Idaho Department of Environmental Quality (IDEQ) for projects listed in the Water System Facility Plan (WSFP). Hawkes outlined the State's funding process: (1) submit a letter of intent (LOI) to IDEQ – done 1/2/2014 for the first three project chosen from the WSFP: 5<sup>th</sup> (not 6<sup>th</sup>) Street water loop, 12-inch water line replacement, and tank well pump house and chlorine treatment (2) Submit an EID (good indefinitely) for projects; (3) IDEQ approves/denies project funding application; (4) IDEQ appropriates funds for approved projects

- Once an EID is submitted and approved by the State, the final grant payment for the WSFP from FY 2013 should be remitted by IDEQ
- **Mossman moved to approve the 2014 Water System Projects – Environmental Information Document with Aqua Engineering as corrected at a cost not to exceed \$4,000.00. Dye seconded.** Motion carried.

#### **Zollinger Construction Spring Line Change Order – Aqua Engineering**

- Darin Hawkes requested approval of Zollinger Construction’s change order request on the 1 Million Gallon Tank Valve Replacement project. The change order is to cover additional “worse case” costs associated with locating and removing blockage of the spring pipeline. The change order does not include any cost for asphalt patching which would be an additional \$50/sq ft should patching be necessary.
- Stephen Zollinger let it be known that he had no interest in or close relationship to the company in question.
- **Jones moved to approve Zollinger Construction’s 1 MG Tank Valve Replacement Change Order #1 in an amount not to exceed \$13,200.00. Dye seconded.** Motion carried.

#### **Room Rental Discussion – Church in the Tetons – Karlin Bilcher**

- Mayor Johnson prefaced the discussion by noting that no action would be taken by Council on this issue as the matter can be handled administratively per City Attorney Zollinger
- Karlin Bilcher, pastor, addressed the Council. He spoke of the Church of the Teton’s use of the foyer/hallway(s) for Sunday school during services. He requested a formalized partnership [written agreement] with the City for continued use of the foyer/hallway space – preferably at no charge.
- Tina Dean, director of Seniors West of the Tetons, spoke to the Council about the exceptional relationship between Seniors West and its renter, Church in the Tetons. She stated the Seniors’ Board of Directors is willing to reduce the Church’s monthly rent by \$50 to keep the relationship intact
- Bilcher and Johnson will meet to work out an agreement between the Church and the City.

#### **Community Center Lease: Teton Rock Gym - Brady Johnston (tabled from 1/21/14)**

- The requested correction has been made to Section 1.3 and Attorney Zollinger has reviewed the contract
- **Dye moved to authorize execution of the lease of 1,024 sq ft in the North half of the Driggs Community Center to the Teton Valley Recreation Association as proposed for the Teton Rock Gym with the two staff recommendations included:** editing of the Rock Gym Operations Manual to state that there will be adequate staffing, one or more trained individuals, based on the level of use of the facility and the posting of signs prohibiting unauthorized entry into the facility in English and Spanish. **Jones seconded.** Motion carried.

#### **Jviation Contract – Consideration of Amendment #1 (tabled from 1/21/14)**

- Page 5 Assumptions #3 was corrected to read: The CITY will provide written notice to the CONSULTANT if the CITY approves any ~~or the amount of~~ monetary settlement authority for the acquisition agent to use in negotiations.

- **Mossman moved to approve and authorize the execution of Amendment #1 between Jviation and the City of Driggs for Reed Memorial Airport land acquisition AIP project 3-16-0012-013 with the correction listed above. Christensen seconded.** Motion carried.

#### **Approval of Animal Control Committee Changes**

- **Christensen moved to approve three new volunteer members on the City’s Animal Control Committee: Molly Absolon (Victor Councilmember), Kathy Spitzer (Teton County Prosecutor), and Aska Shiratori-Langman (animal welfare advocate). Dye seconded.** Motion carried.
- Existing committee members are: Ralph Mossman (City of Driggs), Tony Liford (Teton County Sheriff), Summer Winger (Teton Valley veterinarian), and Julie Gow (member-at-large)

#### **Resolution 291-14 Support for ITD Technical Assistance Grants**

- Community Development Director Self read the resolution verbatim. He went on to explain that the “wayfinding plan” would be developed to determine existing signage, to identify destinations and users, and to assess the regulatory requirements for placing signage in the Idaho Transportation Department’s (ITD) right of way. The South Main Complete Street Project will develop a conceptual design for extending curb, gutter and sidewalk from approximately Wells Fargo Bank to Johnson Avenue.
- **Mossman moved to approve Resolution 291-14 ITD Technical Assistance Grant as read. Jones seconded.** Motion carried.

#### **Teton Geotourism Center “Final Voice” Exhibit Contract – Studio Tectonics**

- The contract has been approved by the Geotourism PAC. DURA will reimburse the \$5,000 contract cost to the City.
- **Jones moved to authorize execution of the Teton Geotourism “final voice” contract for \$5,000.00 with Studio Tectonics. Christensen seconded.** Motion carried.

#### **Staff Reports**

Public Works Director Gunderson and Community Development Director Self reviewed their respective staff reports with the Council.

#### **Mayor’s Business: Hyrum Johnson**

- Reported that the outdoor retailer’s show he attended with Brian McDermot in Salt Lake City was “very, very productive”
- He and Council member Mossman attended the AIC Legislative Day in Boise on January 30, 2014. Informative with one main lesson learned: complaints of the “great state of ADA” are not appropriate because southeast Idahoans do not make enough noise with their legislators
  - Attorney Zollinger noted that he had a “very interesting” conversation (pros and cons) with Sandpoint Idaho’s attorney at the AIC conference should the Council decide to revisit gender discrimination

#### **9:05 p.m. Adjournment**

With no further business, **Jones moved to adjourn. Dye seconded.** Motion carried.

\_\_\_\_\_  
Hyrum Johnson, Mayor

\_\_\_\_\_  
Attest: Carol Lenz, Deputy City Clerk

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2014.

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
JULY 15, 2014**

Pursuant to adjournment of the City Council meeting held July 1, 2014, and the call of the Mayor, the Driggs City Council met Tuesday, **July 15, 2014**, at 7:30 p.m. A roll call was taken and present were council members: Greer Jones, Ralph Mossman, August Christensen, Colin Dye, and Mayor Hyrum Johnson, Community Development Director Doug Self, Financial Officer Carol Lenz, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Jones made a motion** to approve the minutes from the City Council Meeting on July 1, 2014 as corrected. Council Member Mossman seconded the motion. The motion passed with all in favor.

**Council Member Dye made a motion** to approve the minutes from the Special City Council Meeting on July 8, 2014. Council Member Mossman seconded the motion. The motion passed with all in favor.

**CLAIMS**

The Council reviewed the claims.

**Council Member Jones made a motion** to approve the claims as presented from July 2, 2014 through July 15, 2014. Council Member Mossman seconded the motion. The motion passed with all in favor.

**7:40PM PUBLIC HEARING: FY 2015 WATER SYSTEM IMPROVEMENTS PROJECTS ENVIRONMENTAL INFORMATION DOCUMENT**

Mayor Johnson explained the Council adopted the Water System Plan and prioritized three projects. The first step to obtain funding for the projects was to have an environmental information document completed and approved.

Mayor Johnson opened the Public Hearing at 7:50pm. There was no public comment and the Hearing was closed at 7:51pm.

**Council Member Jones made a motion** to approve the FY 2015 Water System Improvements Projects Environmental Information Document as presented. Council Member Dye seconded the motion.

Council Member Mossman requested tabling approval until Members of the Council were able to review the document.

**Council Member Jones made a motion** to table the approval of the Environmental Information Document until the next Council meeting. Council Member Dye seconded the motion. The motion passed with all in favor.

**SHOSHONI PLAINS PARK WEED CONTROL AND SEEDING BID AWARD (TABLED FROM 7/1/14)**

Mr. Self presented information to the Council. He received bids for the work on the park to address the weeds and re-seed. Intermountain Aquatics was the low bidder with a total price for Task #1 reaching \$7,495.00, which would be completed this fiscal year. Task #2 would be work done either in 2015 or 2016.

Ms. Lenz stated she could not recommend the expense as the project was already over budget for this year.

Mayor Johnson stated the City Engineer was concerned with the weeds at this time and felt they were already an issue. He further stated the funds could be taken out of the roof budget as that project came in under the budgeted amount. Discussion about the timing of the activities began as the Council tried to determine if the work could wait until October.

Mayor Johnson stated the Council could either reject all bids and give further instruction on bidding the project or accept one of the bids and value engineer it.

**Council Member Christensen made a motion** to accept Intermountain Aquatics bid at \$7,495.00 for Task #1 and instruct the city engineer to refine the scope and reduce the price as appropriate. Council Member Mossman seconded the motion.

Council Member Mossman requested Task #2 be completed by the same company to ensure continuity.

The above motion passed with all in favor.

**CONSIDER PROPOSED STREET STRIPING REVISIONS TO EAST LITTLE AVENUE AND ROSS AVENUE**

Mayor Johnson explained the lane widths as described in the current Transportation Plan and requested those widths to be reduced for Little and Ross Avenues, stating the lanes were becoming wider than recommended and the bike lanes were becoming smaller than recommended. He concluded by stating he was not proposing to rewrite the Transportation Plan at this time, but wanted the Council to authorize the staff to stripe at the proposed width.

Tim Adams from Teton Valley Trails and Pathways spoke to the Council. He stated that if the pavement was consistently swept, cyclists would feel more comfortable staying within the bike lane. He further stated that both cyclists and motorists need to be responsible and share the road, stating approximately 56 cyclists a day are seen on Little Avenue. By expanding the bike lane, it would give more room to cyclists to maneuver cars parked on Little Avenue, Mr. Adams concluded.

**Council Member Mossman made a motion** to waive the street width in the transportation plan and stripe the lanes as 11 feet on Little Avenue and 10 feet on Ross Avenue and 5<sup>th</sup> Street. Council Member Christensen seconded the motion. The motion passed with all in favor.

**UTILITY BAD DEBT WRITE-OFF APPROVAL**

Ms. Lenz presented the Council with information regarding outstanding balances on utility accounts. She stated those listed were in foreclosure, pre-foreclosure or had been sent to the collection agency. She requested the accounts be written off as it had been several years since the last payment had been received.

**Council Member Mossman made a motion** to write off eight accounts and send the information to the collection agency. Council Member Jones seconded the motion. The motion passed with all in favor.

**STAFF REPORTS**

Mr. Self updated the Council on the activities of the current projects including the Plaza and the Geotourism Center.

Mr. Self informed the Council the city property that was discussed for the land exchange with Melehes and McKenzie was previous a landfill and therefore could not be exchanged. He further stated an easement would not work with the property to the south of the city shop and questioned if the Council wanted further information regarding obtaining an easement on the north side. The Council agreed and requested Mr. Self research the options.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Mossman seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 8:45pm.

ATTEST:

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Kreslyn Schuehler, City Clerk

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Mayor Hyrum Johnson

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
AUGUST 5, 2014**

Pursuant to adjournment of the City Council meeting held July 15, 2014, and the call of the Mayor, the Driggs City Council met **Tuesday, August 5, 2014**, at 7:30 p.m. A roll call was taken and present were council members: Greer Jones, Ralph Mossman, August Christensen via telephone, Colin Dye, and Mayor Hyrum Johnson, City Attorney Stephen Zollinger, Community Development Director Doug Self, Public Works Director Jared Gunderson, and Financial Officer Carol Lenz. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Dye made a motion** to approve the minutes from the City Council Meeting on July 15, 2014 as corrected. Council Member Jones seconded the motion. The motion passed with all in favor.

**Council Member Dye made a motion** to approve the minutes from the Special City Council Meeting on July 22, 2014 as corrected. Council Member Mossman seconded the motion. The motion passed with all in favor.

**CLAIMS**

The Council reviewed the claims.

**Council Member Jones made a motion** to approve the claims as presented from July 16, 2014 through August 5, 2014. Council Member Mossman seconded the motion. The motion passed with all in favor.

**APPROVAL OF ORDINANCE #347-14: AMENDING THE NUMBER OF MEMBERS ON THE AIRPORT BOARD**

The Council discussed minor changes to the document, including correcting the numbering of subsections.

**Council Member Dye made a motion** to consider Ordinance #347-14 first read. Council Member Jones seconded the motion. The motion passed with all in favor.

**CONSIDERATION OF HUNTSMAN SPRINGS PARK LAND EXCHANGE AND PARK COMMITTEE RECOMMENDATION**

Jared Gunderson informed the Council there were current utilities in the Front Street easement and a partially abandoned sewer line through the Stock Lumber property. He cautioned about digging or placing anything over the lines if they would need to be accessed in the future.

The current proposal involved an exchange of three marketable residential lots within Huntsman Springs and improvement of the former Stock Lumber yard, after which a lease would be granted to the City for public use. Mr. Self stated there would be no

monetary value to the lease and that improvements and maintenance would be done by Huntsman Springs.

Mr. Self concluded the Parks Committee reviewed and made recommendations on where the park equipment should be relocated, compensation for the land value and the lease or acquisition. Huntsman Springs was ready to move forward with appraisals.

**Council Member Mossman a motion** to declare intent to convey Park Lots 5, 6 and 8 in Huntsman Springs PUD to Huntsman Springs, Inc. in exchange for the things listed in the staff report, which would constitute a value for value exchange. Council Member Dye seconded the motion. The motion passed with all in favor.

**FY 2015 WATER SYSTEM IMPROVEMENTS PROJECTS ENVIRONMENTAL INFORMATION DOCUMENT (TABLED FROM 7/15/14)**

Robert Rousselle, from Aqua Engineering, spoke to the Council. He stated the comments from the City Council and Idaho DEQ would be incorporated into the final draft document.

**Council Member Mossman made a motion** to adopt the 2015 Water Systems Improvement Project Environmental Information Document contingent on additions from DEQ and changes from the City Council. Council Member Christensen seconded. The motion passed with all in favor.

**TETON COUNTY RECREATION MASTER PLAN – PARK COMMITTEE RECOMMENDATION**

Council Member Christensen inquired about the next step after approval of the Master Plan. Mr. Self stated coordination of processes would begin, which may include forming a recreation district in the future.

**Council Member Mossman made a motion** to adopt Resolution #294-14, adopting the Teton County Recreation and Public Access Master Plan as a guiding policy document for future parks and recreation planning. Council Member Jones seconded the motion. The motion passed with all in favor.

**HUD GRANT CONSORTIUM FUNDING AGREEMENT FOR WAYFINDING SIGN DESIGN**

Mr. Self stated the agreement was to design the wayfinding signs in Phase II of the project. He further stated a RFP would be published for a design consultant to work with the wayfinding stake holder group and other entities to develop the signs.

**Council Member Jones made a motion** to approve the Memorandum of Understanding with Fremont County for the Wayfinding Sign Design Grant of \$20,000. Council Member Dye seconded the motion. The motion passed with all in favor.

**VALLEY CENTRE PATHWAY CHANGE ORDER NO. 3**

Mayor Johnson stated the change order was necessary due to soil issues.

**Council Member Dye made a motion** to approve the Valley Centre Pathway Change Order No. 3. Council Member Jones seconded the motion. The motion passed with all in favor.

### **PLAN ONE CONTRACT FOR ADDITIONAL SERVICES ON TETON GEOTOURISM CENTER**

Mr. Self stated Plan One exceeded their contract. The proposed contract would pay an amount not to exceed of approximately \$9,000 for Plan One and \$14,000 for the subcontractors, totaling \$23,000. Mr. Self stated the Urban Renewal Agency had agreed to pay this cost.

**Council Member Mossman made a motion** to authorize the Mayor to execute the AIA additional services agreement with Plan One for the Teton Geotourism Center project. Council Member Christensen seconded the motion. The motion passed with all in favor.

### **FY 2015 PROPANE CONTRACT**

Council Member Mossman stated he would like to bid the propane contract. Ms. Lenz stated the last bid process included giving information to 8 companies and having only 2 submitted bids. The Council discussed the option of accepting bids or continuing with the current supplier.

**Council Member Mossman made a motion** to put the propane contract out to bid. Council Member Christensen seconded the motion. The question was called. Council Member Mossman and Christensen voted in favor. Council Member Dye and Jones voted in opposition. Mayor Johnson voted in favor. The motion passed.

### **APPROVAL OF THE CITY OF DRIGGS WASTEWATER TREATMENT FACILITY QUALITY ASSURANCE PROJECT PLAN**

Mayor Johnson stated the plan was required by DEQ. Mr. Gunderson informed the Council this would be a plan for how future samples would be pulled and transported at the Wastewater Treatment Plant.

**Council Member Jones made a motion** to approve the City of Driggs Wastewater Treatment Facility Quality Assurance Project Plan as presented. Council Member Dye seconded the motion. The motion passed with all in favor.

### **TREE TRIMMING AND REPLACEMENT PROPOSAL**

Mayor Johnson asked the Council to consider a proposal from Horizon Landscape Services for tree trimming and replacement of 7 trees for \$3,510.00. The funding would come from the parks equipment fund. Mr. Gunderson stated the trees being replaced were located on Little Avenue and Main Street.

**Council Member Mossman made a motion** to approve the purchase of trees and tree trimming in the amount of \$3,510. Council Member Jones seconded the motion. The motion passed with all in favor.

**STAFF REPORTS**

Mr. Gunderson reviewed the activities of the Public Works Department.

**MAYOR’S BUSINESS**

**Appointment to Airport Board**

Mayor Hyrum stated Val Williams expressed interest to hold a seat on the Airport Board with a 3 year term.

**Council Member Jones made a motion** to ratify the appointment of Val Williams to the Airport Board. Council Member Mossman seconded the motion. The motion passed with all in favor.

Mayor Johnson stated Intermountain Aquatics reviewed the site at Shoshoni Plains in regards to the weeds and stated the City would be better off to do a weed kill. Mayor Johnson authorized a \$500 contract to do the weed kill and suggested revisiting the issue next year.

**EXECUTIVE SESSION**

**Council Member Jones made a motion** to go into executive session at 8:50pm pursuant to Idaho Code 67-2345(f) and for land acquisition. Council Member Christensen seconded the motion. A roll-call vote was taken: Council Member Christensen, aye; Council Member Jones, aye; Council Member Dye, aye; Council Member Mossman, aye. The motion carried unanimously.

The Council came out of Executive Session at 9:10pm.

**Council Member Jones made a motion** to proceed as directed in Executive Session regarding Bateman Hall. Council Member Mossman seconded. The motion passed with a majority in favor. Council Member Christensen voted in opposition.

**ADJOURNMENT**

**Council Member Dye made a motion** to adjourn. Council Member Jones seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 9:12pm.

ATTEST:

\_\_\_\_\_  
Kreslyn Schuehler, City Clerk

\_\_\_\_\_  
Mayor Hyrum Johnson

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
OCTOBER 7, 2014**

Pursuant to adjournment of the City Council meeting held September 16, 2014, and the call of the Mayor, the Driggs City Council met **Tuesday, October 7, 2014**, at 7:30 p.m. A roll call was taken and present were council members: Greer Jones, Ralph Mossman, Wade Kaufman, and August Christensen; Mayor Hyrum Johnson, Community Development Director Doug Self, Financial Officer Carol Lenz, Public Works Director Jared Gunderson, Planning and Zoning Administrator Ashley Koehler, City Attorney Stephen Zollinger, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Jones made a motion** to approve the minutes from the City Council Meeting on September 16, 2014 as corrected. Council Member Mossman seconded the motion. The motion passed with all in favor.

**CLAIMS**

The Council reviewed the claims.

**Council Member Jones made a motion** to approve the claims as presented from September 17, 2014 through October 7, 2014. Council Member Christensen seconded the motion. The motion passed with all in favor.

**SHERIFF'S DEPARTMENT QUARTERLY REPORT**

Sheriff Liford presented information to the Council regarding the Sheriff Department activities from the second quarter.

**CONSIDER REVISED SHERIFF'S ASSURANCE OF COVERAGE AGREEMENT (REMOVAL OF ANIMAL CONTROL)**

Sheriff Liford requested "hours" be removed from paragraph 5 regarding the reporting process, as it would be very difficult to confirm with the current tracking system his department had.

Mayor Johnson stated animal control services would also be removed because the training had not been established at this time. Further discussion about this would occur at a future animal control committee meeting.

**Council Member Mossman made a motion** to approve the Assurance Coverage Agreement revision with the Teton County Sheriff's office with the removal of the animal control services and the word "hours" in paragraph 5. Council Member Jones seconded the motion. The motion passed with all in favor.

**CONSIDER RESOLUTION #296-14: AUTHORIZING MAYOR TO PURSUE WATER SYSTEM FACILITY UPGRADE FUNDING**

Ted Hendricks presented a Resolution that authorized the Mayor to execute applications on behalf of the city for grants and loans for potential water system projects.

Stephen Zollinger stated the Resolution was necessary in order to submit the application in a timely manner and did not commit or obligate the City to move forward with any project.

**Council Member Mossman made a motion** to adopt Resolution #296-14, a Resolution to submit applications for the construction of a water improvement project. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**TISA LEASE – FOR ADDITIONAL 2,280SF IN DRIGGS RECREATION CENTER**

Doug Self stated there would be two different leases for the existing space and the proposed additional space.

Mr. Self reviewed the layout of the north end with the Council. Ms. Cheri Milne, owner of TISA, requested a wall be erected between the rock wall and her gym for safety and liability reasons. She also requested better lighting.

**Council Member Jones made a motion** to approve the lease agreement with TISA for an additional 2,280 square feet contingent upon the lighting retro fit in the building. Council Member Mossman seconded the motion. The motion passed with all in favor.

**ORDINANCE #351-14: AMENDMENT TO TITLE 4, CHAPTER 2 – NUISANCES**

Mayor Johnson informed the Council the ordinance was not to be adopted, just discussed to provide feedback to staff. He further stated the current nuisance ordinance did not address the issues and problems that were being faced in the city at this time.

Mr. Self stated the draft ordinance was a starting point and requested the Council review some main points. He further stated the City should ensure that its properties would be able to conform before adopting the ordinance.

Council Member Kaufman questioned how the ordinance would be enforced. Mayor Johnson stated the staff was working to make the ordinance enforceable and prioritize enforcement in commercial zones, moving to newer neighborhoods and ending with the original town site. Mr. Self stated this process would help gain experience and knowledge of the process for both the staff and community.

Discussion began of grasses and weeds on vacant property. Council Member Christensen was concerned that enforcement officer recognizes the ability to vary from property to property. Stephen Zollinger explained “subjective intent” and advised that an enforcement officer have the ability to interpret the ordinance subjectively.

Mayor Johnson stated if the city wanted to promote itself as a tourist destination, it should begin to think how to present as such. He further stated this should be a positive proactive approach and process to educate the community.

#### **DECLARE SURPLUS ITEMS TO BE SOLD OR DISPOSED OF**

Mayor Johnson requested the quantity of the 8' fluorescent fixtures be listed as unlimited as fixtures were to be replaced. Mr. Gunderson requested the old canopy lights, and doors and windows from the building remodel be added to the list as well.

**Council Member Mossman made a motion** to declare items on the list surplus with the addition of unlimited fixtures, canopy lights, and doors and windows. Council Member Kaufman seconded the motion. The motion passed with all in favor.

#### **MAYOR'S BUSINESS**

Mayor Johnson stated one propane bid was received. Suburban Propane submitted a bid that was the same as the last two contracts.

#### **Verification of Meeting Time**

Mayor Johnson requested the Council determine the meeting time so that the ordinance can be amended to the correct meeting time as required. The consensus was to keep the meeting time at 7:30pm on the first and third Tuesdays.

The next Council meeting would be changed to November 3, 2014 due to the Elections.

#### **Request for Utility Bill Credit for Water Leak at 112 Aspen Meadows Dr. #45**

Mayor Johnson stated a credit of \$538.50 was being requested for a water leak between the meter and the home at the above address. Mr. Gunderson informed the Council the lines in the area were not installed properly and were being fixed as problems arose.

**Council Member Christensen made a motion** to approve the credit request for the water leak at 112 Aspen Meadows #45 for \$538.50. Council Member Jones seconded the motion. The motion passed with the majority in favor. Council Member Kaufman voted in opposition.

#### **Annual Reminders from Legal Counsel to City Council Members**

Mr. Zollinger reminded the Council that as individuals, Council Members do not have the authority or ability to obligate the city. He recommended the Council encourage any citizen to bring concerns or comments to the Council as a group. He further explained the difference between legislative versus quasi-judicial issues.

#### **STAFF REPORTS**

Mr. Self presented his staff report. He stated the DDCA had hired an Event Coordinator and was requesting a partnership with the city to create and maintain events. This coordinator could be a city employee. Mr. Self stated there was a hired coordinator for the past two years, with the City contributing \$8,000 to DDCA to help with this cost. He stated \$8,000 was in the budget, but additional funds were needed for employee benefits.

Mr. Self stated in the short term the DDCA would like to use the spare office in the City Hall for the coordinator.

Mayor Johnson stated the events that DDCA host bring significant economic benefits to the community and the Council should determine if the city wanted more leverage and control with these events.

Council Member Kaufman did not feel the City should offer the office space rent-free. Mayor Johnson stated the Urban Renewal Agency paid rent when they occupied the space.

The Council felt more discussion and research was needed before determining if the coordinator should be a city employee.

**Council Member Mossman made a motion** to approve the use of the office space in City Hall for the event coordinator for DDCA for a term of 6 months at no charge. Council Member Christensen seconded the motion. The motion passed with all in favor.

Mr. Gunderson reviewed his staff report and the activities of the department.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Kaufman seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 11:01pm.

ATTEST:

\_\_\_\_\_  
Kreslyn Schuehler, City Clerk

\_\_\_\_\_  
Mayor Hyrum Johnson

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
OCTOBER 21, 2014**

Pursuant to adjournment of the City Council meeting held October 7, 2014, and the call of the Mayor, the Driggs City Council met **Tuesday, October 21, 2014**, at 7:30 p.m. A roll call was taken and present were Council Members: Greer Jones, Ralph Mossman, Wade Kaufman, and August Christensen; Mayor Hyrum Johnson, Community Development Director Doug Self, Financial Officer Carol Lenz, Public Works Director Jared Gunderson, City Attorney Stephen Zollinger, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Jones made a motion** to approve the minutes from the City Council Meeting on October 7, 2014 as corrected. Council Member Mossman seconded the motion. The motion passed with all in favor.

**CLAIMS**

The Council reviewed the claims.

**Council Member Mossman made a motion** to approve the claims as presented from October 8, 2014 through October 21, 2014. Council Member Christensen seconded the motion. The motion passed with all in favor.

**7:30PM PUBLIC HEARING ON PROPOSED GRANT ACTIVITIES FOR WATER FACILITY IMPROVEMENTS – TED HENDRICKS, DEVELOPMENT COMPANY**

Mayor Johnson opened the Public Hearing at 7:46pm. There were no comments and the Public Hearing was closed at 7:47pm.

Ted Hendricks, from the Development Company, spoke to the Council. He stated the general water facility improvements would address deficiencies in the city's water system, including flow and pressure requirements, depth and pipe size standards, and issues with emergency power sources. The project was estimated at 4.3 million dollars and would require judicial confirmation for loan and grant funding. Mr. Hendricks stated construction could begin in 2015.

**DISCUSSION OF DRAFT ORDINANCE #351-14: AMENDMENT TO THE NUISANCE CHAPTER OF DRIGGS CITY CODE**

Doug Self presented a list of changes discussed at the previous meeting.

Council Member Christensen was concerned that, as written, trailers would not be allowed on corner lots. Mr. Self explained in those situations one side yard could be used for trailer storage.

Council Member Christensen requested the effective date be changed to August as she felt May was too early.

Further discussion took place regarding vegetation, debris and storage. Council Member Mossman suggested the definition of debris not include “economic value.”

Parking on lawns was also discussed and Council Member Mossman felt this could be considered a “cultural issue.” Mr. Self stated parking on lawns and in right-of-ways caused problems with landscaping and infrastructure. Mayor Johnson felt that the city had an interest to control the accesses to right-of-ways to ensure infrastructure was not damaged and pedestrians were safe.

Council Member Mossman voiced concerned with the time limit allowed to work on vehicles. He felt 72 hours was not enough time for some to be able to fix their vehicles. Mr. Self stated the time frame would allow the city to enforce once it became an issue or nuisance.

Mr. Self stated he would incorporate the discussion in a revision and bring it to the Council for further review at a future meeting.

**CONSIDER COMMUNITY FOUNDATION GRANT CONTRACT: GRANT AWARDED FOR PURCHASE AND INSTALLATION OF CCTV SECURITY SYSTEM IN CITY BUILDING**

Mayor Johnson stated the grant contract must be executed in order to receive funds to purchase video surveillance for City Hall and the Teton Geotourism Center.

Council Member Mossman was concerned with the reasoning and/or need for the surveillance. Mayor Johnson stated the topic could be discussed further in Executive Session.

**Council Member Christensen made a motion** to approve the grant contract with the Community Foundation as submitted, in the amount of \$1,280. Council Member Mossman seconded the motion. The motion passed with all in favor.

**AUTHORIZATIONS FOR IMPROVEMENT AT DRIGGS COMMUNITY CENTER AND INDUSTRIAL BUILDING**

Mr. Self reviewed the proposed improvements with the Council.

**Council Member Mossman made a motion** to accept the estimate of \$585 for the door handle assembly on the Teton Geotourism Center’s north exhibit doors. Council Member Christensen seconded the motion. The motion passed with all in favor.

Mayor Johnson stated the Sheriff had recommended locking the 24-hour area of the Teton Geotourism Center. Mayor Johnson further stated if the doors were changed, it would give the city the option to lock the area, but at this time the area would remain open.

**Council Member Christensen made a motion** to swap the front doors at the Teton Geotourism Center at an estimated cost of \$600 with contingency of having agreement among the Council after an Executive Session. Council Member Mossman seconded the motion. The motion passed with all in favor.

Discussion of replacing the damaged window in the Teton Geotourism Center began. Mr. Self stated it was not a “pressing issue but [would] need to be replaced eventually.” Council Member Christensen suggested replacement wait until the end of the fiscal year or when it became a cleaning issue and the Council was in agreement.

Two estimates were received for signage at the Industrial Building, the lowest from Sign It Now.

**Council Member Kaufman made a motion** to approve and install the tenant signs at the Driggs Industrial Building for \$1,473.98 with the additional \$575 for installation. Council Member Mossman seconded the motion. The motion passed with all in favor.

Mr. Self stated the information in the staff report for the lighting in the Recreation Center was for 40 foot candles and after researching, he felt 30 foot candles would be sufficient.

West Point Electric submitted an estimate. Mr. Self felt it made sense to go with the LED option and reuse the fixtures.

**Council Member Jones made a motion** to accept West Point Electric’s bid for the Driggs Recreation Center lighting for \$19,550, including \$3,910 for the Rock Wall. Council Member Kaufman seconded the motion.

Mr. Self recommended the lighting for the rock wall be completed once the business opened. He further stated he would bring more information to the Council regarding LEDs in the area.

The above motion passed with all in favor.

## **STAFF REPORT**

Doug Self reviewed his staff report.

## **MAYOR’S REPORT**

### **Health Insurance**

Carol Lenz reviewed the health insurance information with the Council and stated it would not need to be discussed during the meeting. After the staff discussed questions or concerns, the Council would review the proposed information.

Ms. Lenz stated the city would see a reduction in health insurance costs of \$2,000 if the current policy was renewed. If the Council wanted to change to the Qualified Health Care Plan, the annual saving would be \$10,000. The two different policies were very similar in coverage, Ms. Lenz concluded.

**STAFF REPORT**

Jared Gunderson reviewed the activities of his department with the Council.

**EXECUTIVE SESSION**

**Council Member Jones made a motion** to go into executive session at 9:31pm pursuant to Idaho Code 67-2345(f) for legal reasons. Council Member Mossman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

The Council came out of Executive Session at 9:45pm.

Mayor Johnson polled the Council and all were agreeable with the security improvements as discussed earlier.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Mossman seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 9:46pm.

ATTEST:

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Kreslyn Schuehler, City Clerk

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Mayor Hyrum Johnson

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
NOVEMBER 18, 2014**

Pursuant to adjournment of the City Council meeting held November 3, 2014, and the call of the Mayor, the Driggs City Council met **Tuesday, November 18, 2014**, at 7:30 p.m. A roll call was taken and present were Council Members: Greer Jones, Ralph Mossman, August Christensen and Wade Kaufman; Mayor Hyrum Johnson, Community Development Director Doug Self, Financial Officer Carol Lenz, Public Works Director Jared Gunderson, City Attorney Stephen Zollinger, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Mossman made a motion** to approve the minutes from the City Council Meeting on November 3, 2014 as corrected. Council Member Jones seconded the motion. The motion passed with all in favor.

**CLAIMS**

The Council reviewed the claims. Ms. Lenz requested an invoice be added from Ted's Diesel in the amount of \$2,941.40.

**Council Member Christensen made a motion** to approve the claims as presented from November 4, 2014 through November 18, 2014 including the invoice from Ted's Diesel in the amount of \$2,941.40. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**CLERK'S REPORT**

Kreslyn Schuehler answered questions regarding her report.

**TVTAP REPORT ON NORDIC TRACK USAGE AND REQUEST FOR GROOMING ASSISTANCE**

Nick Beatty, from Teton Valley Trails and Pathways, presented information to the Council regarding the usage of the Nordic track east of the high school. He stated approximately 12 kilometers would be groomed on Mondays, Wednesdays and Fridays, using about 5 gallons of fuel a week. He further stated that skier counts last year averaged 18 people per day.

Council Member Kaufman requested it be acknowledged that the City contributes financially to the maintenance of the track.

**Council Member Mossman made a motion** to approve 85 gallons of fuel to be donated to TVTAP to groom the Nordic track. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**PUBLIC HEARING 7:40PM TO CONSIDER RESOLUTION #299-14 FOR \$4.3 MILLION IMPROVEMENTS TO WATER DELIVERY FACILITIES**

Mayor Johnson opened the Public Hearing at 8:08pm. There were no comments received and the public hearing was closed at 8:09pm. There were no written comments received either.

Council Member Mossman inquired about the 14 day waiting period after the Public Hearing. Stephen Zollinger stated the grant application had been modified to indicate anticipated judicial confirmation would be approved by the end of the year. He further stated the Resolution could not be executed until 14 days after the Public Hearing. Mr. Zollinger concluded by stating he would file for judicial confirmation on December 3, 2014.

**CONSIDER ORDINANCE #353-14 TO ESTABLISH CITY COUNCIL MEETING TIMES AND NEWSPAPER OF RECORD**

**Council Member Mossman made a motion** to waive the rules for Ordinance #353-14. Council Member Christensen seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

**Council Member Jones made a motion** to adopt Ordinance #353-14 and read by title only and consider the ordinance thrice read. Council Member Mossman seconded the motion. The motion passed with all in favor.

Council Member Christensen read Ordinance #353-14 by title only.

**CONSIDER WORK ORDER #29 FROM HARMONY DESIGN FOR PROPOSED 5<sup>TH</sup> AND ROSS INTERSECTION IMPROVEMENTS**

Mayor Johnson stated Teton School District had funds to improve 5<sup>th</sup> Street from Ross Avenue to 1000N. He stated the City should consider fixing the intersection at 5<sup>th</sup> and Ross at the same time the district does its improvements.

**Council Member Christensen made a motion** to approve Work Order #29 for the 5<sup>th</sup> Street and Ross Avenue intersection improvements not to exceed \$19,000. Council Member Mossman seconded the motion.

Council Member Kaufman disagreed with the amount of compensation being requested for the project.

The above motion passed with a majority in favor. Council Member Kaufman voted in opposition.

**CONSIDER WORK ORDER FROM WEST POINTE ELECTRIC FOR ELECTRICAL WORK IN TGC OFFICE**

Carol Lenz informed the Council that a total of \$30,000 was budgeted for the Teton Geotourism Center this fiscal year, which included funds for janitorial, utilities, and other expenses that would be accrued.

Doug Self stated at this time there were several computers, a small refrigerator, a microwave, and a space heater plugged into one outlet.

**Council Member Jones made a motion** to approve the bid from West Pointe Electric for the electrical work. Council Member Mossman seconded the motion. The motion passed with all in favor.

### **TARGHEE SHUTTLE CONTRACT**

Mr. Self stated that this contract was a revision of a contract already in place. He further stated there were problems with how the contract price and invoicing was done. New federal grant assurances also needed to be included in the contract.

Council Member Mossman felt the bus service was a benefit to the city and wanted to do something to make it more usable. Council Member Mossman further stated he would like to see the schedule more frequent and easier to follow in order to increase ridership.

Mr. Self stated Targhee was focused on increasing the ridership and was working on how to collect the most riders efficiently. He further stated Targhee was willing to make signs at each stop, which would include the bus schedule.

**Council Member Mossman made a motion** to adopt the contract between the City and Grand Targhee for the shuttle service. Council Member Jones seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

### **BATEMAN HALL CHANGE ORDER NO. 7 FOR TETON GEOTOURISM CENTER**

Mr. Self stated a bridge track was installed and not billed at the time of installation. The work was complete and should have been part of an earlier change order.

**Council Member Mossman made a motion** to accept the change order from Bateman Hall for \$1,332. Council Member Jones seconded the motion. The motion passed with all in favor.

### **INDUSTRIAL BUILDING – ROB DUPRES TENANT IMPROVEMENT PROJECT**

Mr. Self reported he had not received contract estimates and requested the discussion be tabled until they were received.

### **STAFF REPORTS**

Doug Self and Jared Gunderson reviewed their department activities.

Council Member Mossman requested Mr. Gunderson add to the Water Freeze-Up Notice a disclaimer stating that even if all points were followed pipes may still freeze. He also requested a map be added to indicate where pipes are more likely to freeze.

**ADJOURNMENT**

**Council Member Kaufman made a motion** to adjourn. Council Member Jones seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 8:52pm.

ATTEST:

\_\_\_\_\_  
Kreslyn Schuehler, City Clerk

\_\_\_\_\_  
Mayor Hyrum Johnson

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
DECEMBER 2, 2014**

Pursuant to adjournment of the City Council meeting held November 18, 2014, and the call of the Mayor, the Driggs City Council met **Tuesday, December 2, 2014**, at 7:30 p.m. A roll call was taken and present were Council Members: Greer Jones, Ralph Mossman, August Christensen via telephone, and Wade Kaufman; Mayor Hyrum Johnson, Community Development Director Doug Self, Financial Officer Carol Lenz, Public Works Director Jared Gunderson, City Attorney Stephen Zollinger, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Jones made a motion** to approve the minutes from the City Council Meeting on November 18, 2014 as corrected. Council Member Mossman seconded the motion. The motion passed with all in favor.

**CLAIMS**

The Council reviewed the claims. Invoiced discussed in detail were from Plan One Architects for \$469.72 and IPSSDR for \$625.00.

**Council Member Jones made a motion** to approve the claims as presented from November 19, 2014 through December 2, 2014 including item 10-46-304 for \$469.72. Motion failed due to the lack of a second.

**Council Member Mossman made a motion** to approve the claims as presented from November 19, 2014 through December 2, 2014 with a correction to 10-44-800, taking \$500 from the events budget and \$125 out of the second half of DDCA's payment and paying half of the requested \$469.72 to Plan One. Council Member Kaufman seconded the motion. The motion passed with the majority in favor. Council Member Jones voted in opposition.

Council Member Mossman requested the invoice from Plan One be discussed again at the next meeting.

**7:30 PM PUBLIC HEARING – ORDINANCE #344-14 ANNEXATION OF 140 ACRES IN THE HUNTSMAN SPRINGS PUD**

Ashley Koehler explained Huntsman Springs had requested to annex 140.1 acres of the Planned Unit Development into the City of Driggs. She stated the Planning and Zoning Commission recommended approval of the annexation with conditions and the City Council held a hearing and voted to adopt the Annexation Ordinance on May 6, 2014. Due to a delay in publishing the Ordinance, it had been re-noticed for another public hearing.

Ms. Koehler stated that the amended Annexation Agreement incorporated a beautification plan and removed the rezoning of the proposed area.

Mayor Johnson opened the Public Hearing at 8:25pm.

Anna Trentadue, from Valley Advocates for Responsible Development, spoke in support of the annexation and the changes staff recommended. She further stated keeping the current zone would be clearer and would allow the Planning and Zoning Commission time to work on crafting other zones. She encouraged the city to move as quickly as possible to annex the entire Huntsman Springs Subdivision.

There were no other comments received and the Public Hearing was closed at 8:29pm.

**Council Member Mossman made a motion** to approve the Annexation Agreement contingent on passing Ordinance #344-14. Council Member Kaufman seconded the motion. The motion was passed with all in favor.

**Council Member Mossman made a motion** to waive the rules for Ordinance #344-14. Council Member Christensen seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

**Council Member Mossman made a motion** to approve Amended Ordinance #344-14 and consider it third read. Council Member Jones seconded the motion. The motion passed with all in favor.

#### **WASTEWATER LIFT STATION UPGRADE BID REVIEW AND CONSIDERATION**

Scott Rogers, from Aqua Engineering, stated 5 bids were received and recommended awarding the project to the lowest bidder, Zollinger Construction. He stated the project consisted of miscellaneous improvements and incorporation into the SCADA system for 10 lift stations.

**Council Member Jones made a motion** to accept Zollinger Construction's bid of \$657,984.00 for the Wastewater Lift Station Project and authorized the Mayor to execute the contract. Council Member Mossman seconded the motion. The motion passed with all in favor.

#### **CONSIDER SUBMISSIONS FOR ENGINEERING AND ADMINISTRATIVE SERVICES RFQ FOR WATER PROJECT**

Mayor Johnson stated one bid was received for administrative services from The Development Company and two bids were received for engineering services for the water project. He concluded by stating the selection committee recommended awarding the project to Aqua Engineering teaming with Harmony Design.

**Council Member Mossman made a motion** to accept the Aqua Engineering/Harmony Design team for the water project. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**CUSTODIAL BID REVIEW AND SELECTION**

Mayor Johnson stated two bids were received. However, due to ambiguity in the information requested, he recommended the Council reject all bids and re-advertise with a list of specific cleaning responsibilities, including a request for costs per hour for any additional work.

**CONSIDER RESOLUTION #299-14 FOR \$4.3 MILLION IMPROVEMENTS TO WATER DELIVERY FACILITIES**

**Council Member Mossman made a motion** to adopt Resolution #299-14. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**CITY CENTER STAGE PROPOSAL/FUNDING DISCUSSION**

Doug Self stated the idea for a stage in the Plaza was in the original design development. However, there was no funding and it was moved to Phase II. The Rotary Club did a funding drive and raised \$1,700 for the stage. Porter and Ann Toy Broughton and Teton Timber Frame were offering to provide the design the timber frame structure valued at \$27,000.

Council Member Mossman questioned if the Parks Committee reviewed the placement of the stage and determined this placement as appropriate. Mr. Self stated the committee had not discussed it, but the plans were in the original plaza design.

Porter Broughton spoke to the Council and stated his family was willing to help with funds for the stage which would create a memorial for his son Bryce Broughton.

**Council Member Jones made a motion** to approve the concept idea for the stage in the Plaza as presented and authorize Teton Timber Frame and staff to proceed to obtain concept designs. Council Member Christensen seconded the motion. The motion passed with all in favor.

**INDUSTRIAL BUILDING IMPROVEMENT PROJECT (TABLED FROM 11/18/14)**

Mr. Self stated the construction budget for the grant funded project was \$13,500. Construction estimates total \$9,725 from McTigue Enterprises and Wydaho Plumbing for the demolition, framing, drywall and plumbing. Electrical work had not be assigned at this time, but Mr. Self felt the cost would be very minor, approximately \$500.

**Council Member Mossman made a motion** to approve authorization of contracts with a not to exceed amount of \$10,000 for the industrial building tenant improvement project. Council Member Jones seconded the motion. The motion passed with all in favor.

**CONSIDER PROPOSED NON-DISCRIMINATION ORDINANCE #354-14**

Mayor Johnson stated a first reading would not be done at this meeting. The Council should discuss this item to provide feedback only.

Council Member Mossman stated he would like to hear concerns and opinions of the Council so he could work to make an ordinance that all felt was worthwhile.

Council Member Kaufman questioned if the ordinance was necessary above and beyond what the State statutes enforce. He concluded by stating he was in favor of the ordinance.

Council Member Mossman responded stating the State of Idaho did not have specific protections within the law that protected people on the grounds of sexual orientation or gender identity. He further stated that he hoped the State of Idaho would pass a law in the future. The City of Driggs would be the tenth city in Idaho to pass this type of ordinance.

Council Member Mossman stated his interest in this began when the suicide rate in the valley increased. He continued to state a majority of the suicides were young people and believed young people tended to have questions about their sexual orientation and identity. He felt the Council and city would be delivering a message that bullying was not acceptable and hoped to lower the suicide rates.

Stephen Zollinger stated this version of the ordinance was “easily more defensible than the previous version.” He concluded by stating that as a whole, the problem that existed was addressed and the ordinance was worth considering.

**STAFF REPORT**

Jared Gunderson reviewed the activities of his Department.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Mossman seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 9:29pm.

ATTEST:

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Kreslyn Schuehler, City Clerk

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Mayor Hyrum Johnson



CITY OF DRIGGS  
COUNCIL REGULAR SESSION  
September 15, 2015

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Pursuant to adjournment of the City Council meeting held September 1, 2015, and to the call of the Mayor, the Driggs City Council met on September 15, 2015. Present: Council President Jones; Council Members Christensen, Kaufman, and Mossman; Mayor Johnson. Also present: City Attorney Zollinger, Community Development Director Self, Finance Officer Lenz, and Public Works Director Gunderson.

**7:33 p.m. The regular session was called to order.**

**Approval of Minutes**

- September 1, 2015 **Mossman moved to approve the September 1, 2015 minutes. Kaufman seconded.** Motion carried unanimously.

**Treasurer's Report**

- **Jones moved to approve Claims dated September 2-15, 2015 as presented. Mossman seconded.** Motion carried unanimously.
- Lenz reviewed the August Financial Report for FY2015 with the Council.
- Council was notified that the FY 2015 financial audit will be conducted the second week of December 2015.

**Public Hearing: FY2015 Appropriation Amendment**

- Lenz explained the reason for the amendment, to increase budget authority for additional funds received that were not originally budgeted. The amendment would increase the Airport budget \$180,000 for Federal Aviation Administration (FAA) & State funds received for land acquisition. The amendment would also increase the Sewer budget \$800,000 for DEQ Waste Water Treatment Plant loan proceeds that were not budgeted. There were no verbal or written comments received on the proposed amendment.

**7:47 p.m. The Public Hearing was opened.**

- There was no public comment in favor, neutral, or against the proposed budget amendment.

**7:48 p.m. The Public Hearing was closed.**

**Consider Ordinance #361-15 FY2015 Appropriation Amendment**

- **Mossman moved to suspend the rules and read by title only. Christensen seconded.** The question was called by roll: Jones, aye; Mossman, aye; Christensen, aye; Kaufman, aye. Motion carried unanimously.
- **Mossman moved to approve Ordinance 361-15 FY 2015 Appropriation Amendment amending the annual appropriations for fiscal year 2015. Jones seconded.** The question was called by roll: Jones, aye; Mossman, aye; Christensen, aye; Kaufman, aye. Motion carried unanimously.

### Consider Resolution # 308-15 Fees

- Continued to the Council's 10/06/15 meeting to conduct a public hearing as advertised to allow for input on proposed new fees.

### Consider amendment to Driggs Water System Facility Plan Update 2013

- Council was asked to approve Aqua Engineering's amendment document as submitted to the Department of Environmental Quality (DEQ) to reflect revisions in the projects, revisions in potential funding, and information from the Driggs Water System Improvement Project Environmental Review. The plan was also amended to include current demographic and demand information to match the preliminary engineering report prepared for USDA Rural Development.
- **Mossman moved to approve the September 2015 amendments to the Driggs Water System Facility Plan 2013. Kaufman seconded.** Motion carried unanimously.

### Consider Rural Development Commitment Offer for Water Project Loan and Grant Combination

- Johnson gave a brief outline of the proposed loan/grant agreement noting that the proposal was based on receipt of National United States Department of Agriculture (USDA) funds with the potential to apply for additional State grant funds should actual bids received be higher than the national commitment. If additional State grant funds are not awarded, the City would have the option to trim project(s) and associated cost(s) to stay within approved budget
- David Flesher, Director, Community Programs, from the Boise USDA office, was at the meeting and spoke in depth to the Council about the proposed loan/grant offer after he handed out a revised loan/grant approval conditions letter. Flesher addressed concerns, pointed out process pit-falls, and he reminded the Council not to "forget its [system] operators."
- **Jones moved to authorize Mayor Johnson to sign the Letter of Intent to Meet Conditions and the Request for Obligation of Funds as presented by Flesher on behalf of the Idaho USDA Office. Mossman seconded.** Motion carried unanimously.

### Staff Reports

- Self reviewed his Community Development report with updates on the status of Wayfinding signs, the Bus Storage Facility, and the Transit Station. He also spoke to the three (3) pathway projects noting that the sign encroachment issue on Section B (Johnson to Wells Fargo) is being reviewed by the City's engineers (at no additional cost), Public Works, the property owners, and the Idaho Transportation Department (ITD) to come up with an agreeable solution to all parties.
  - Section C construction will require moving horses out of a pasture. The property owner has requested, and been given approval, for the City to pay for watering the horses at their temporary location while the pathway segment is being constructed.
  - West Little Avenue will require change order #5 to adjust roadway sub-base to 8" after GeoTech submitted a second letter, stating that its original estimate was not correct based on additional information
  - Colter Building water issues will need to be addressed by the property owner not the City
- Gunderson reviewed his Public Works report noting that the Waste Water Treatment Plant (WWTP) project is winding down. Zollinger Construction is working on the lift station punch list.
  - Bio-growth is plugging the sprayers on the water re-use screens at the WWTP.

Gunderson stated that he and Aqua Engineering personnel have “found a filter” to resolve the bio-growth issue to be paid from the contingency line in Zollinger Construction’s lift station repair contract. According to Gunderson, DEQ has approved the filter project to be within the scope of work and can be purchased from funds authorized for lift station upgrade. Estimated cost of the filter as presented to the Council is \$32,201.11 which is above the remaining contingency line funds

- Gunderson will be meeting with DEQ and Environmental Protection Agency (EPA) personnel to discuss ammonia levels at the WWTP. The City may have to “fall back” to the engineers to design a plant that works, removing ammonia
- The “big bugs” at the WWTP are back on the national radar – more information will be relayed to the Council as it becomes available
- Review of projects to be paid with USDA loan/grant funds will begin soon with Aqua Engineering and the survey company; review costs can be paid from Idaho Community Development Block Grant (ICDBG) funds already committed to the City at \$500,000

### **Mayor’s Report**

- Johnson asked the Council to consider offering air ambulance (Life Flight) insurance for qualified employees and/or Council members. To provide the insurance for Council, an increase in compensation would need to be done via ordinance which can only be done in an election year. Consensus was reached by Council to not increase Council compensation and to have those Council members who wish to participate in the program pay the premium to the City. The City will pay the premium cost for qualified employees.
- Johnson reminded Council to complete the ICRMP Risk Management program on-line.

**9:29 pm a recess was called**

**9:38 pm the regular session was rejoined**

**9:38 pm Executive Session**

**Jones moved to enter Executive Session per Idaho Code 74-206 for legal and personnel reasons. Mossman seconded.** The question was called by roll: Jones, aye; Mossman, aye; Christensen, aye; Kaufman, aye. Motion carried unanimously.

**9:58 pm the regular session was rejoined**

No action was required as a result of executive session.

### **Mayor’s Report (continued)**

- State Liquor Law change – request of area restaurants for financial assistance to support changing current Idaho law has not been going well; neither has the effort to build a coalition of other resort communities for support. The effort may have to be scaled back to just Teton County ID cities.
- Council was notified of a potential recall petition. Attorney Zollinger explained the recall process.

**10:20 p.m. Adjournment**

**Jones moved to adjourn. Kaufman seconded.** Motion carried unanimously.

\_\_\_\_\_  
Hyrum Johnson, Mayor

\_\_\_\_\_  
Attest: Carol Lenz, Finance Officer

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2015.



# CITY OF DRIGGS

OFFICE OF MAYOR HYRUM F. JOHNSON

*'The Heart of Teton Valley'*  
Inc. 1910

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July 13, 2014

Mr. Robert Rousselle, P.E.  
Aqua Engineering, Inc.  
533 W 2600 Suite 275  
Bountiful, Utah 84010

RE: City of Driggs FY 2015 Water System Improvement Projects

Mr. Rousselle,

I am responding to your request for more detailed information regarding the adoption of the Driggs Water System Facility Plan (WSFP), and subsequent prioritization of projects.

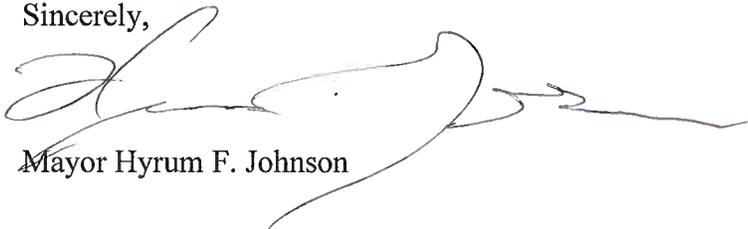
At its regularly scheduled meeting on February 4<sup>th</sup>, 2014, the Driggs City Council conducted a public hearing to solicit public comment and then considered adoption of the draft Water System Facility Plan prepared by Aqua on its behalf. The public hearing was properly noticed and published according to Idaho Statutes, inviting input from the public on the draft plan. No written comments were received prior to the hearing date and time, and no comments were submitted by the public at the hearing. No sign-in sheet was maintained because of this lack of comment at the hearing. Following the public hearing the City Council formally adopted the draft plan.

Following adoption, the Council then considered which projects outlined within the WSFP should be given preferred priority. The following selections were made:

1. 5<sup>th</sup> Street Water Loop Pipeline Project
2. 12-inch Transmission Water Pipeline Replacement Project
3. Tank-Well Pump House and Chlorine Treatment Project

I trust that this information is sufficient to satisfy your request. If you have any further questions please don't hesitate to contact me, or our Public Works Director, Jared Gunderson.

Sincerely,



Mayor Hyrum F. Johnson



STEPHEN P. ZOLLINGER, ISB #4329  
DRIGGS CITY ATTORNEY  
P.O. Box 280  
Rexburg, ID 83440  
TELEPHONE: (208) 359-3020  
FAX: (208) 359-3022  
Attorney for Petitioner

**IN THE DISTRICT COURT OF THE  
SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON**

In re: ) Case No. CV 2014-304  
)  
)  
THE CITY OF DRIGGS, )  
an Idaho municipal ) NOTICE OF FILING OF  
corporation, ) PETITION FOR JUDICIAL  
) CONFIRMATION  
)  
Petitioner. )  
\_\_\_\_\_ )

STATE OF IDAHO )  
) SS.:  
COUNTY OF TETON )

NOTICE IS HEREBY GIVEN that the City of Driggs, Teton County, Idaho (the "City"), has petitioned, pursuant to Idaho Code § 7-1301, et. seq. for judicial confirmation of the validity of a certain proposed loan obligation and related matters to be incurred by the City.

The Petition seeks confirmation of the validity of the power and authority of the City of Driggs, Idaho, to: (a) incur an indebtedness in a principal amount not to exceed \$4,300,000.00, for the financing of the cost of certain improvements for the City's existing water system as an "ordinary and necessary expense" within the meaning of Article 8, Section 3, Idaho Constitution; (b) enter into a certain loan agreement with the State of Idaho, Department of Environmental Quality or the United States Department of Agriculture Rural Development, and to issue its promissory note or other evidence of such indebtedness; and (c) pledge to repay the obligations of the City from the water system revenues and other lawfully available funds of the City.

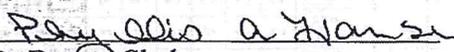
The Petition further seeks a declaration that such evidence of indebtedness, when issued pursuant to such authority, will be a valid and binding obligation of the City of Driggs, payable in accordance with its terms.

Interested parties who wish to review the Petition, or any of the documents referred to or incorporated in the Petition, may do so during normal business hours at Driggs City Hall, 60 South Main Street, Driggs, Idaho 83442.

Any interested party may appear by written appearance or answer to the Petition filed with the Clerk of the above-entitled Court at any time prior to the date set for hearing on the Petition, which has been set for the 3rd day of February, 2015, at 2:00 o'clock P.M., or as soon thereafter as the matter may be heard, at the courtroom of the above-entitled Court, at the Teton County Courthouse, 150 Courthouse Drive, Driggs, Idaho, 83442.

DATED this 6th day of January, 2015.

CLERK OF THE DISTRICT COURT

  
By Deputy Clerk

TETON VALLEY NEWS  
% IDAHO STATE JOURNAL  
PO BOX 1570  
POCATELLO ID 83204  
(208)354-8101

ORDER CONFIRMATION

Salesperson: SHARON FOX

Printed at 12/18/15 13:53 by sfo21

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Acct #: 131724

Ad #: 1187483

Status: E

CITY OF DRIGGS  
PO BOX 48  
DRIGGS ID 83422

Start: 10/25/2014 Stop: 10/30/2014  
Times Ord: 1 Times Run: 2  
STDP 3.00 X 39.00 Words: 195  
Total STDP 117.00  
Class: 0001 LEGAL NOTICES  
Rate: L3 Cost: 62.40  
# Affidavits: 1

Contact: CAROL LENZ  
Phone: (208)354-2362  
Fax#:   
Email: clenzen@driggsideaho.org  
Agency:

Ad Descrpt: PUBLIC HEARING 11/18/14  
Given by: KRESLYN SCHUEHLER  
Created: sfo21 10/24/14 12:43  
Last Changed: sfo21 10/24/14 13:09

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COMMENTS:

Email from Kreslyn Schuehler on 10/23. sf

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PUB ZONE ED TP START INS STOP SMTWTFSS  
TVN A 96 W 10/30/14 1 10/30/14 T  
21IN A 96 W 10/25/14 1 10/25/14 SMTWTFSS  
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PAYMENTS:

-- 11/21/2014 62.40 Check #:20133  
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AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

\_\_\_\_\_  
Name (print or type)

\_\_\_\_\_  
Name (signature)

(CONTINUED ON NEXT PAGE)

TETON VALLEY NEWS  
% IDAHO STATE JOURNAL  
PO BOX 1570  
POCATELLO ID 83204  
(208)354-8101

ORDER CONFIRMATION (CONTINUED)

Salesperson: SHARON FOX

Printed at 12/18/15 13:53 by sfo21

-----  
Acct #: 131724

Ad #: 1187483

Status: E

LEGAL NOTICE OF PUBLIC HEARING  
CITY OF DRIGGS, IDAHO  
CITY COUNCIL

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Driggs City Council will hold a public hearing at City Hall, 60 S Main Street, Driggs, Idaho on Tuesday, November 18, 2014 at 7:40 PM.

The Purpose of the hearing is to consider A RESOLUTION DECLARING THE NEED TO CONSTRUCT AND ACQUIRE WATER DELIVERY FACILITIES; APPROVING THE PROJECT AND AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF SAID FACILITIES; PRESCRIBING AN INSTALLMENT PURCHASE AND TRUST AGREEMENT AND RELATED DOCUMENTS AS THE MOST SUITABLE MANNER FOR SECURING CONSTRUCTION AND FINANCING OF SAID IMPROVEMENTS; AUTHORIZING THE FILING OF JUDICIAL CONFIRMATION PROCEEDINGS; DIRECTING CITY OFFICIALS TO PROCEED WITH SAID FACILITIES AND FINANCING THERETO IN AN AGGREGATE PRINCIPAL AMOUNT OF UP TO \$4,300,000.00 AND WITH THE FILING OF JUDICIAL CONFIRMATION PROCEEDINGS; AND PROVIDING AN EFFECTIVE DATE.

Written comments must be received prior to 5pm on November 12, 2014 at Driggs City Hall, P.O. Box 48, Driggs, Idaho 83422. You may also FAX your written response to 208-354-8522 or email to [kschuehler@driggsidaho.org](mailto:kschuehler@driggsidaho.org). Verbal and written comments will be heard during the public hearing.

October 30, 2014 & November 6, 2014

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