JOINT INFORMATION MEETING
Town Council & County Commissioner Meeting
Monday, October 1, 2018 at 3:00 PM
County Commissioners Chambers
Chair: Mark Newcomb

NOTICE: The video and audio for this meeting are streamed to the public via the internet and mobile devices with views that encompass all areas, participants, and audience members. Please silence all electronic devices during the meeting.

I. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENTS

II. PUBLIC COMMENT
This section of the agenda is reserved for public comments on items that are not on today’s agenda.

III. CONSENT CALENDAR
A. Minutes
   1. September 10, 2018 regular JIM

Documents:

Minutes 091018 JIM .pdf

IV. DISCUSSION AND/OR ACTION ITEMS
A. New Special Restriction Templates (Stacy Stoker, 30 Minutes)
B. Parks & Rec Strategic Plan Adoption through Resolution (Steve Ashworth, 30 Minutes)
C. START Joint Powers Agreement (Larry Pardee, 30 Minutes)

Documents:

IVA Housing Special Restrictions.pdf
IVB Parks and Rec Strategic Plan.pdf
IVC START Joint Powers Agreement.pdf

V. MATTERS FROM COUNCIL, COMMISSION, AND STAFF

VI. PROPOSED FUTURE WORKSHOP AGENDA ITEMS
A. 11/5 Updates to the Fire/EMS Joint Powers Agreement (30 Minutes)
B. 11/5 START Funding Initiative (30 Minutes)
C. 11/5 Adoption of Functional Classification Map for Roads Within the Urban Systems Boundary (Sean O’Malley, 30 Minutes)

VII. EXECUTIVE SESSION

VIII. ADJOURN
County Commission adjourns.
Town Council adjourns to executive session to consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price in accordance with Wyoming Statute 16-4-405(a)(vii).

Please note that at any point during the meeting, the Chairman or Mayor may change the order of
items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.
JOINT INFORMATION PROCEEDINGS  
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING  

SEPTEMBER 10, 2018  

The Jackson Town Council met in conjunction the Teton County Commission in a regular joint information session in the Commissioners Chambers located at 200 S. Willow Street at 3:00 P.M. Upon roll call the following were found to be present:

Chair & Commissioners: Natalia Macker, Paul Vogelheim, Greg Epstein, and Smokey Rhea. Mark Newcomb was absent.

Mayor & Council: Mayor Pete Muldoon, Jim Stanford, Hailey Morton Levinson, Bob Lenz, and Don Frank.


There was no public comment.

On behalf of the County, a motion was made by Greg Epstein and seconded by Smokey Rhea to adopt todays agenda with the changes as presented. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried on behalf of the County.

On behalf of the Town, a motion was made by Bob Lenz and seconded by Hailey Morton Levinson to adopt todays agenda with the changes as presented. Mayor Muldoon called for the vote. The vote showed all in favor with and the motion carried on behalf of the Town.

Consent Calendar. On behalf of the County, a motion was made by Greg Epstein and seconded by Paul Vogelheim to approve item A as presented on the Consent Calendar. On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Bob Lenz to approve item A as presented on the Consent Calendar.

A. Meeting Minutes. To approve the August 6, 2018 regular joint meeting minutes as presented.

Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried on behalf of the County. Mayor Muldoon called for the vote. The vote showed all in favor with and the motion carried on behalf of the Town.

IV. Discussion/Action Items.

A. New Special Restriction Templates.

Stacy Stoker, Housing Manager, presented to the Joint Board for consideration of approval the standard special restriction templates reflecting the updates to the Housing Standards in the Town of Jackson and Teton County Land Development Regulations (LDRs). and the updates to the Jackson/Teton County Housing Department Rules and Regulations (housing Rules and Regulations). There were changes proposed by the Housing Department for the Workforce Ownership Restrictions Qualified Mortgage language and a change to Section 9.A.2 change Mortgage to Mortgagor.

Discussion between the Joint Board and staff included authorizing minor changes to language without coming to the Joint Board, templates and changes reviewed by legal, examples of changes that would be made by the Housing Department, amended and restated restrictions, time sensitive on edits – developments waiting for restrictions to be approved, rent control for workforce rentals.

On behalf of the County, a motion was made by Paul Vogelheim and seconded by Greg Epstein to continue the new special restriction templates as presented for the County to the September 18 meeting. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried on behalf of the County.
On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Jim Stanford to continue this item to our regularly scheduled meeting on September 17. Mayor Muldoon called for the vote. The vote showed all in favor with the motion carried on behalf of the Town.

B. Community Health Needs Assessment.

Jodie Pond, Director of Health, and Rachael Wheeler, Public Health Response Coordinator, presented to the Joint Board the Healthy Teton County’s 2018 Community Health Needs Assessment Report. Healthy Teton County (HTC) is a community health initiative led by the Teton County Health Department and St. John’s Medical Center (SJMC). This is the second iteration of the Community Health Needs Assessment completed by HTC. In this report HTC prioritized the social determinants of health (SDOH) separately because making positive change to the SDOH requires different strategies from health behaviors and conditions. This abbreviated iteration the CHNA used three assessments: the community health data, a quality of life survey and the forces of change (conducted during the stakeholder meeting). The local public health system assessment was not repeated because there were no significant changes since it was initially completed. The next step in the process is to develop a Community Health Improvement Plan.

Discussion between the Joint Board and staff included cancer rates and trends, suicide rates, Access to Care, Food Insecurity, youth and technology, and community prevention funding.

There was no public comment.

No action was taken.

C. Forest Service/Snow King Master Plan Process Discussion.

Tyler Sinclair, Joint Planning Director, presented to the Joint Board Snow King Mountain Resort On-Mountain Improvements Project Proposal – United States Forest Service. The purpose of this item is for the Board of County Commissioners and Town Council to hear from the Forest Service regarding the Town and County role as Cooperating Agencies in the review process for the Snow King Mountain Resort On-Mountain Improvements Project Proposal in order to determine when the ideal time for Town and County input should occur and to coordinate the timelines for the Town and Forest Service Master Plan review. There will be no comment or discussion of the content of the Master Plans at this time.

Mary Moore, Jackson District Ranger, addressed the Joint Board regarding the role of a Cooperating Agency and where a Cooperating Agency can assist.

The role of the Town and County as a Cooperating Agencies in the Forest Service process is as follows:

- Identifying significant environmental issues [including aspects of the human environment such as natural, social, economic, energy, urban quality, historic and cultural issues];
- Identifying the proposed actions’ relationship to the objectives of regional, State and local land use plans, policies and controls;
- Developing the proposed action and alternatives; and
- Describing the affected environment and environmental effects.

Discussion between the Joint Board and staff included extension of public comment period to October 4th, hiring of consultant assisting with EIS (Prime Consultants), scoping comment period looking for substantial comments to go in the draft EIS, comments only on actions taken on the forest service land, all comments by October 4th, alternatives that can be presented and commented on, Town Council meetings set but will not happen by October 4th – how will that work as a cooperating agency, concerns about wildlife – wildlife biologist on staff and working with partnership entities, Forest Supervisor is Patricia O’Connor, 2011 Ski Area Management Act, how does Teton County’s Comprehensive Plan play into the BTFN Comprehensive Plan, EIS process, alternative ideas, joint consensus or individual comments from cooperating agencies, critical milestones and target dates, Forest Service is available to help.

There was no public comment.
No action was taken.

Executive Session.

There was no executive session held today.

Adjourn. On behalf of the County, a motion was made by Paul Vogelheim and seconded by Greg Epstein to adjourn. The vote showed all in favor and the motion carried.

On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Don Frank to adjourn. The vote showed all in favor and the motion carried.

The meeting adjourned at 4:35 p.m.

TETON COUNTY

ATTEST:  
Mark Newcomb, Chair

Sherry L. Daigle, County Clerk

minutes: sdf
STATEMENT/PURPOSE
Approval of standard special restriction templates reflecting the updates to the Housing Standards in the Town of Jackson and Teton County Land Development Regulations (LDRs), and the updates to the Jackson/Teton County Housing Department Rules and Regulations.

BACKGROUND/ALTERNATIVES
On July 4th, 2018 the Town Council and Board of County Commissioners updated the Housing Standards in the LDRs and the Housing Rules and Regulations. The Town and County Legal Departments have drafted new standard restriction templates, which reflect the updates.

Key Components of Restrictions:

Affordable Ownership Restriction:
- Income and asset limits according to income ranges 0% - 50%; 50% - 80%; 80% - 120% of median family income for Teton County.
- At least one person in the household must be employed an average of 30 hours per week (1,560 hours per year) at a local business until retirement age (currently 62).
- Occupancy requirement (10 months per year).
- No ownership of residential property within 150 miles of Teton County at time of purchase or during ownership.
- Annual check-in to verify employment and occupancy.
- Weighted drawing to identify buyers.
- Appreciation is CPI capped at 3%.

Restated Affordable Ownership Restriction
- Same as Affordable Ownership. This restriction will be recorded on all existing Affordable resales.
Affordable Rental Restriction:
- Income and Asset Limits according to income ranges 0% - 50%; 50% - 80%; 80% - 120% of median family income for Teton County.
- At least one person in the household must be employed an average of 30 hours per week (1,560 hours per year) at a local business until retirement age (currently 62).
- Must remain a rental – no owner occupancy.
- Rental rate may not exceed 30% of the low end of the income range; basic utilities and trash removal must be included.
- Tenants may not own residential property within 150 miles of Teton County.
- Tenants must occupy the unit a minimum of 80% of the lease term.
- Tenants must continue to qualify while renting.
- Tenants are identified by the owner of the unit.
- The Housing Department will conduct annual verification for qualification.

Workforce Ownership Restriction:
- No income limit, but the household must continue to earn a minimum of 75% of income from a local business until retirement age (currently 62).
- No asset limit, except no ownership of residential property within 150 miles of Teton County at time of purchase or during ownership.
- At least one person in the household must be employed an average of 30 hours per week (1,560 hours per year) at a local business.
- Units can be owner occupied and they can be rented as long as the tenants are qualified.
- Household must occupy the unit a minimum of 10 months per calendar year or in the case of a rental tenant must occupy the unit a minimum of 80% of the lease term.
- Initial sale price and buyer are determined by seller and buyer. Subsequent sales are weighted drawings, and maximum sales price is determined by the Housing Department. Appreciation is CPI capped at 3%.
- Annual compliance will be conducted by the Housing Department.

Restated Workforce Ownership Restriction:
- Same as Workforce Ownership. This restriction will be recorded on all existing Employment-based resales.

Workforce Rental Restriction:
- Intended for non-condominium apartments.
- No income limit, but the household must continue to earn a minimum of 75% of income from a local business until retirement age (currently 62).
- No asset limit, except no ownership of residential property within 150 miles of Teton County at time of rental or during tenancy.
- At least one person in the household must be employed a minimum of 30 hours per week (1,560 hours per year) at a local business.
- Units must remain rentals.
- No maximum rents and no appreciation on rental rates.
- Tenants must occupy the unit a minimum of 80% of the lease term.

Updates:
This item was brought to the September 10, 2018 JIM. The Council and Board continued the item to allow for changes to be made. As staff and legal took another look at the restrictions, the following changes were made:

- The term “Mortgagee” was kept as is. Legal determined that this is the correct term. A mortgagee is an entity that lends money to a borrower for the purpose of purchasing real estate. The borrower is known as the Mortgagor.
• Added Qualified Mortgage language to Workforce Ownership restriction.
• Renumbered and reorganized Sections 2 and 3 of each restriction so Qualified Household is in Section 2 in all of the restrictions to make them uniform.
• Added a maintenance requirement, which didn’t exist in some of the restrictions.
• Made the insurance provision consistent in all six restrictions.
• Added a default provision in the template(s) where absent to make it consistent in all restrictions.
• Clarified the language that allows termination and modifications to the restrictions consistently in all six documents as follows:
  o Termination for failure to meet affordable housing goals: this may be made by the Town or County exclusively and unilaterally.
  o Termination Resulting from Foreclosure: This is only relevant to and therefore only in the ownership restrictions and provides the Housing Authority the first option to purchase
  o Amendments to the restriction generally: These may be made by Owner AND either the Town or County (respectively) in writing.
  o Corrections: These may be made by the Housing Department and only to correct a scrivener’s errors, erroneous legal description or typographical error
• Added a history of the creation of the Joint Housing Authority and the Housing Department to the Recitals.
• Additional minor, insubstantial changes to clean up the templates were also made. These included correcting spelling and formatting errors and ensuring consistency between the template forms.

ATTACHMENTS
• Affordable Ownership Restriction
• Restated Affordable Ownership Restriction
• Affordable Rental Restriction
• Workforce Ownership Restriction
• Restated Workforce Ownership Restriction
• Workforce Rental Restriction

FISCAL IMPACT
N/A

STAFF IMPACT
Housing and Legal staff have spent a significant amount of time drafting and reviewing the standard restriction templates. Housing staff will work with developers and owners to record appropriate restrictions on restricted units as they are built and will collaborate with planning staff to conduct outreach to educate local development professionals about the changes to the restrictions. Housing and Legal staff will also be impacted significantly facilitating sales, conducting compliance, and conducting annual reporting as units are added to the supply. County Clerk staff will be impacted as restrictions need to be recorded in the Clerk’s office. All impacts on Housing staff have been included in the FY18/19 work plan for the department that was provided to the elected officials during the budget review and is available on the department’s website: jhaordablehousing.org.

STAKEHOLDER ANALYSIS
Stakeholders include the local community members and employers who are seeking to secure housing for themselves or their employees, developers who are building restricted housing, and tourists who seek amenities and other products or experiences that are provided by our workforce.

LEGAL REVIEW
Reviewed by Audrey Cohen Davis, Lea Colasuonno, and Keith Gingery.

RECOMMENDATION
Staff recommends approval of the standard restriction templates.
SUGGESTED MOTION
I move to approve the standard Affordable Ownership, Restated Affordable Ownership, Affordable Rental, Workforce Ownership, Restated Workforce Ownership, and Workforce Rental, restrictions as presented.

Synopsis for PowerPoint (120 words max):

Purpose:

Background:

Fiscal Impact:
Special Restrictions
for Affordable Ownership Housing

Located at Click here to enter Name of Dev. and/or address.

These Special Restrictions for Affordable Ownership Housing ("Special Restrictions"), are made and entered into this ___ day of ______________, 20__, by the undersigned Owner ("Owner") and insert the Town of Jackson or Teton County, Wyoming.

RECITALS:

WHEREAS, Owner holds fee ownership interest in that certain real property, located in insert the Town of Jackson or Teton County, Wyoming, and more specifically described as follows:

Click here to enter Legal Description

PIDN: ________________("Land")

WHEREAS, as a condition of its approval for permit #__ Click here to enter Permit #. ("____ Approval"), Owner was required to provide and restrict as follows:

Owner developed property addressed as__________, __________, Wyoming 830__ for a _______square foot retail/service/office/residential/etc. building. This development generated the obligation to provide Affordable Ownership Housing in accordance with _____ Approval. Owner is restricting:

• Unit ________, with _______ number of bedrooms with Income Range ________
• Unit ________, with _______ number of bedrooms with Income Range ________
• Unit ________, with _______ number of bedrooms with Income Range ________

(hereinafter “Residential Unit” or Residential Units”).

The Income Ranges are defined in the Jackson/Teton County Housing Department Rules and Regulations enforced by the Jackson/Teton County Affordable Housing Department, such Rules and Regulations are defined in Section 1 below;

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority ("JTCHA");

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department ("Housing Department") who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce this Special Restriction;
WHEREAS, in furtherance of the goals, objectives, requirements and conditions of insert approval type (FDP, CUP, etc.) Approval, and consistent with the insert the Town of Jackson or Teton County’s goal of providing decent, safe and sanitary housing to qualified employees working in Teton County, Wyoming, that is affordable, Owner agrees to restrict the use and occupancy of the Residential Unit to a “Qualified Household,” which meets employment, income and asset ownership qualifications as set forth herein and as further defined in the Jackson/Teton County Housing Department Rules and Regulations;

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by Housing Department and insert the Town of Jackson or Teton County, Wyoming.

RESTRICTIONS:

NOW, THEREFORE, in satisfaction of the conditions in and consideration of the insert approval type (FDP, CUP, etc) Approval and in further consideration of the foregoing Recitals, which are incorporated herein by this reference, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of a Residential Unit, that the Land and each Residential Unit shall be held, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT HOUSING RULES AND REGULATIONS. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended from time to time and which policies, procedures and guidelines are on file with the Housing Department or otherwise with insert the Town of Jackson or Teton County, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.

SECTION 2. OWNERSHIP BY QUALIFIED HOUSEHOLD ONLY.

A. Qualified Household. The ownership, use and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Affordable Housing, as set forth below (“Qualified Household”).

1. Employment Requirement. At least one (1) member of the Qualified Household at time of purchase and during ownership must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business. A “local business” means a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and the
business serves clients or customers who are physically located in Teton County, Wyoming.

2. **Income Restriction.** The Qualified Household’s gross income shall fall between [Click here to enter income range. of the median family income in Teton County, Wyoming, as determined by the current year’s published Federal Department of Housing & Urban Development median family income chart for Teton County, Wyoming (“Income Cap”) at time of purchase.

3. **No Teton County Residential Real Estate.** No member of the Qualified Household may own (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at the time of purchase or any time during ownership of the Residential Unit.

4. **Determination by the Housing Department.** The Housing Department shall determine whether a prospective owner is a Qualified Household. In addition to any requirements set forth in the Rules and Regulations, such determinations shall be based upon written applications, representations, information and verification as are deemed by the Housing Department to be necessary to establish and substantiate eligibility.

5. **Asset Limit.** The maximum asset limit for Qualified Households is two (2) times the income limit for a household size of four in accordance with the applicable income range, as further defined and clarified in the Housing Rules and Regulations.

B. **No Legal Action.** No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against insert the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with insert the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall insert the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. **Ownership by Housing Department.** Notwithstanding the foregoing, the Housing Department may purchase and own the Residential Unit

**SECTION 3. RESTRICTIONS ON OCCUPANCY, IMPROVEMENT AND USE OF RESIDENTIAL UNITS.** In addition to any restrictions included in the Rules and Regulations, occupancy and use of a Residential Unit shall be restricted as follows:

A. **Occupancy.** Each Residential Unit shall be occupied as the Qualified Household’s sole and exclusive primary residence, and each owner of a Residential Unit shall physically reside therein on a full-time basis, at least ten (10) months out of each calendar year. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit.
B. **Business Activity.** No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

C. **Guests.** No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of thirty (30) cumulative days per calendar year.

D. **Renting.** No Residential Unit, or any part thereof, including without limitation, the garage, any portion of any structure, or any room within any structure, may be rented or otherwise occupied by persons other than the members of the Qualified Household.

E. **Maintenance.** The owner shall take good care of the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner’s association and shall make all repairs and maintain the Residential Unit in a safe, sound, habitable, and good condition and state of repair. In case of damage to the Residential Unit, the owner shall repair the damage or replace or restore any destroyed parts of the Residential Unit, as speedily as practical.

F. **Capital Improvements.** The Owner may only undertake capital improvements to the Residential Unit in accordance with the policies set forth in the Rules and Regulations, which policies may include but are not limited to, a limitation on the valuation of such improvements at resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.

G. **Insurance.** The owner shall keep the Residential Unit continuously insured against “all risks” of physical loss (not otherwise covered by a homeowner’s association insurance), for the full replacement value of the Residential Unit.

H. **Compliance with Laws, Declaration.** The Residential Unit shall be occupied in full compliance with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner’s association, as the same may be adopted from time to time.

I. **Periodic Reporting, Inspection.** In order to confirm compliance with these Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential Unit, each owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

**SECTION 4. TRANSFER LIMITATIONS.** Each Residential Unit may only be sold in accordance with Sections 5 and 6 below or transferred in accordance herewith as follows:
A. **Divorce.** In the event of the divorce of an owner, the Housing Department may consent to the transfer of a Residential Unit to a spouse of an owner, which spouse may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

B. **Death.** In the event of the death of an owner, the Housing Department may consent to the transfer of a Residential Unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

C. **Nonqualified Transferee.** If title to a Residential Unit vests in a Nonqualified Transferee, as defined in the Rules and Regulations, the Residential Unit shall immediately be listed for sale in accordance with these Special Restrictions and the Rules and Regulations, or in the alternative, the Housing Department may exercise its option herein to purchase the Residential Unit. The following shall apply when the Housing Department determines there is a Nonqualified Transferee:

1. The Housing Department shall provide the Nonqualified Transferee a reasonable period within which to qualify as a Qualified Household.
2. If the Nonqualified Transferee does not qualify as a Qualified Household within such reasonable period, he or she shall cooperate with the Housing Department to effect the sale, conveyance or transfer of the Residential Unit to a Qualified Household and shall execute any and all documents necessary to such sale, conveyance or transfer.
3. A Nonqualified Transferee shall comply with these Special Restrictions, the Rules and Regulations, the Declaration, zoning and all Laws governing the ownership, occupancy, use, development or transfer of the Residential Unit, and further may only occupy the Residential Unit with the prior written consent of the Housing Department.

**SECTION 5. SALE OF A RESIDENTIAL UNIT.** An owner desiring to sell a Residential Unit shall give written notice to the Housing Department of such desire (the “Notice to Sell”), and after receipt of such notice, the Housing Department shall determine the “Maximum Resale Price,” as provided herein and in accordance with the Rules and Regulations. Upon the Housing Department’s determination of the Maximum Resale Price, the sale of the Residential Unit shall be facilitated by the Housing Department and shall be completed in accordance with the procedure set forth in the Rules and Regulations, which procedure may include, without limitation: a fee (not to exceed two percent (2%)) of the Maximum Resale Price paid to the Housing Department for such facilitation; requirements regarding listing the Residential Unit with the Housing Department and/or a licensed real estate agent, as the Housing Department may direct; standard terms for the sales contract; and procedure for the selection of the purchaser (which selection procedure may include a weighted drawing process). Each purchaser of a Residential Unit shall execute a Buyer’s Acknowledgment of Special Restrictions and Option, on a form to be provided by the Housing Department. Notwithstanding the foregoing, upon receipt of notice from an owner of such owner’s desire to sell a Residential Unit, the Housing Department may purchase such Residential Unit. So long as such owner is not otherwise in default as defined herein, the purchase price in such case shall be the Maximum Resale Price as calculated below.
and subject to adjustment as provided herein. If an owner is in default, other provisions of these Special Restrictions may apply in determining the purchase price.

SECTION 6. MAXIMUM RESALE PRICE. To further insert the Town of Jackson or Teton County, Wyoming’s goal of providing affordable housing, a Residential Unit may not be sold for a purchase price in excess of the “Maximum Resale Price.” The Maximum Resale Price is the current owner’s purchase price plus an increase in price of the Denver-Boulder-Greeley CPI (if such ceases to exist then a comparable CPI Index as determined in the sole discretion of the Housing Department) or three percent (3%), whichever is lower per year of ownership compounded annually, plus the depreciated cost of pre-approved or government-required capital improvements, plus any other costs allowed by the Housing Department, less any required maintenance and/or repair adjustment, all as more fully described in the Rules and Regulations. Notwithstanding the determination of the Maximum Resale Price, the actual sales proceeds delivered to a selling owner may be reduced to account for restoration or repair of a Residential Unit (including without limitation, replacement of carpets, painting, roof repair, siding maintenance/replacement, etc.) determined necessary in the Housing Department’s sole and absolute discretion. Finally, to ensure that the sales price of any Residential Unit is limited to the Maximum Resale Price, no purchaser of a Residential Unit shall assume any obligation of a selling owner, nor shall such purchaser pay or provide to a selling owner any other form of consideration in connection with the sale of the Residential Unit. The calculation of the Maximum Resale Price, as made by the Housing Department, shall be final and binding on all parties.

NOTHING HEREBIN SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR GUARANTY THAT UPON THE RESALE OF A RESIDENTIAL UNIT, OWNER SHALL OBTAIN THE ENTIRE MAXIMUM RESALE PRICE.

SECTION 7. DEFAULT. Each of the following shall be considered a default (“Default”):

A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.

B. Failure to pay or default of any other obligations due or to be performed with respect to a Residential Unit which failure to pay or default could result in a lien against a Residential Unit, including without limitation, homeowner dues, property taxes, payment required by a promissory note or mortgage purporting to affect a Residential Unit. Owner shall notify the Housing Department in writing of any notification received from any lender or third party of past due payments or default in payment or other obligations due or to be performed within five (5) calendar days of Owner’s notification.

C. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially declared bankrupt or insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee in involuntary bankruptcy or other similar officer is appointed to take charge of any substantial part of the Residential Unit or Owner’s property by a court of competent jurisdiction, or if a petition is filed for the reorganization of Owner under any provisions of the Bankruptcy Act now or hereafter enacted, or if Owner files a petition for such reorganization, or for arrangements under any provision of the Bankruptcy Act now or hereafter enacted and providing a plan for a debtor to settle, satisfy or extend the time for payment of debts.
D. Fraud or misrepresentation by purchaser and/or Owner in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a designee of the Housing Department, shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department’s decision, Owner shall proceed in accordance with the Rules and Regulations.

SECTION 8. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, the Housing Department’s remedies shall include the following:

A. Purchase Option.

1. The Housing Department shall have the option to purchase the Residential Unit for a purchase price equal to the Maximum Resale Price, or the appraised value whichever is less, subject to the Housing Department’s ability to limit appreciation as provided in this Section (“Option”) and further subject to the Housing Department’s ability to reduce proceeds as provided above.

2. If the Housing Department desires to exercise its Option, the Housing Department shall provide written notice to the owner of such election. Such notice shall include the purchase price and the timing for the closing of the purchase. The Housing Department shall use reasonable efforts to close the purchase within ninety (90) days of such notice.

B. Forced Sale. The Housing Department may require Owner to sell the Residential Unit in accordance with the resale procedures set forth in these Special Restrictions and the Rules and Regulations.

C. Whether the Housing Department elects to exercise its Option or to force a sale in accordance herewith, all proceeds, unless otherwise required by statute, will be applied in the following order:

FIRST, to the payment of any unpaid taxes;

SECOND, to the payment of any Qualified Mortgage;

THIRD, to assessments, claims and liens on the Residential Unit (not including any mortgage or lien purportedly affecting the Residential Unit which is not a Qualified Mortgage);

FOURTH, to the payment of the closing costs and fees;

FIFTH, to the two percent (2%) facilitation fee to the Housing Department;
SIXTH, to the payment of any penalties assessed against Owner by the Housing Department;

SEVENTH, to the repayment to JTCHA or the Housing Department of any monies advanced by JTCHA in connection with a mortgage or other debt with respect to a Residential Unit, or any other payment made on owner’s behalf;

EIGHTH, to any repairs needed for the Residential Unit; and

NINTH, any remaining proceeds shall be paid to Owner.

If there are insufficient proceeds to satisfy the foregoing, Owner shall remain personally liable for such deficiency.

D. **Appointment of Housing Department as Owner’s Attorney-in-Fact.** In the event the Housing Department exercises its Option or requires the Forced Sale, Owner hereby irrevocably appoints the then-serving Housing Manager as such Owner’s attorney-in-fact to effect any such purchase or sale on Owner's behalf (including without limitation the right to cause an inspection of the Residential Unit and make such repairs to the Residential Unit as the Housing Department may reasonably deem necessary), and to execute any and all deeds of conveyance or other instruments necessary to fully effect such purchase or sale and conveyance.

E. **Limitation on Appreciation at Resale.** The Housing Department may fix the Maximum Resale Price of a defaulting owner’s Residential Unit to the Maximum Resale Price for the Residential Unit as of the date of an owner’s Default (or as of such date after the Default as the Housing Department may determine), and in such event, the Maximum Resale Price shall cease thereafter to increase.

F. **Equitable Relief.** The Housing Department shall have the right of specific performance of these Special Restrictions and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance. Any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or under the laws of the State of Wyoming.

**SECTION 9. QUALIFIED MORTGAGE.**

A. Only a mortgage which is a “Qualified Mortgage” shall be permitted to encumber a Residential Unit. A “Qualified Mortgage” is a mortgage that:

1. the principal amount of such mortgage at purchase does not exceed ninety-six and one half percent (96.5%) of the purchase price, and thereafter the principal amount of such mortgage, any refinanced mortgage and/or additional mortgages combined do not exceed ninety-five percent (95%) of the then current Maximum Resale Price as the same is determined by the Housing Department at the time or times any such mortgage purports to encumber the Residential Unit; and
2. runs in favor of a “Qualified Mortgagee,” defined as:

i. An “institutional lender” such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which institutional lender are subject to direct governmental supervision; or

ii. A “community loan fund”, or similar non-profit lender to housing projects for income-eligible persons (e.g., is not given to or acquired by any individual person); or

iii. A non-affiliated, legitimate, “finance company.” In no event may such finance company be an individual or any company that is affiliated with or has any affiliation with Owner or any family member of Owner.

B. Any mortgage, lien or other encumbrance executed or recorded against a Residential Unit that is not a Qualified Mortgage shall:

1. be deemed unsecured; and

2. only be a personal obligation of an owner and shall not affect or burden, and shall not be enforceable against, such Residential Unit.

Additionally, the execution or recordation of such mortgage, lien or other encumbrance shall be deemed a default hereunder and JTCHA and/or the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation the right of the Housing Department to purchase and to force a sale.

C. In the event an owner fails to make timely payment owed or otherwise breaches any of the covenants or agreements made in connection with any mortgage, lien or other encumbrance purporting to affect the Residential Unit, including without limitation a Qualified Mortgage, fails to timely make any other payment required in connection with the Residential Unit, including without limitation homeowner association dues and fees, assessments, payments to contractors, materialmen, or other vendors for work undertaken for which a lien could be filed against the Residential Unit, or declares bankruptcy, the Housing Department shall have (in addition to the any other remedies) the right to:

1. Cure such default and assume the payments and other obligations of Owner. In such event, Owner shall be in default of these Special Restrictions, and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation its option to purchase and its right to force a sale. In addition to such remedies, Owner shall also be liable to the Housing Department for any amounts advanced.

2. Acquire the loan from the lender by paying the balance due together with reasonable accrued interest and costs, and the Housing Department shall
thereafter have the right to foreclose upon the Residential Unit in accordance with the mortgage and other loan documents or take such other action as the Housing Department shall determine.

3. Purchase the Residential Unit at any foreclosure sale, and in such event, notwithstanding anything to the contrary herein, the Residential Unit shall remain subject to these Special Restrictions.

ANY LENDER BY ENTERING INTO A LOAN TRANSACTION WITH AN OWNER OF A RESIDENTIAL UNIT HEREBY CONSENTS TO THE FOREGOING.

SECTION 10. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. Termination by insert the Town of Jackson or Teton County, Wyoming. These Special Restrictions may be terminated after a determination by insert the Town of Jackson or Teton County, Wyoming that these Special Restrictions are no longer consistent with the goal of providing affordable housing.

B. Termination Resulting from Foreclosure by a Qualified Mortgagee. These Special Restrictions as applied to a Residential Unit may be terminated by a Qualified Mortgagee in the event of a lawful foreclosure of the Residential Unit by such Qualified Mortgagee, as follows:

1. The Qualified Mortgagee provided to the Housing Department copies of all notices of intent to foreclose and all other notices related to the foreclosure contemporaneously with its service of such notices upon an owner.

2. The Housing Department did not exercise its rights as provided in Section 9, Qualified Mortgage.

3. Termination may occur only after expiration of all applicable redemption periods and subsequent recordation of a Sheriff's Deed (or other transfer document as approved by the Housing Department in its sole and absolute discretion) conveying title to a purchaser, who is not (i) Owner, (ii) a member of the Qualified Household, (iii) a person affiliated with or related to Owner or any member of the Qualified Household, or (iv) the Housing Department.

4. In the event of a foreclosure hereunder, the Qualified Mortgagee shall pay to the Housing Department all proceeds remaining, if any, after payment of the Qualified Mortgage loan amount, interest, penalties and fees, which proceeds would have been payable to Owner of the foreclosed Residential Unit.

5. Notwithstanding the notice requirements to the Housing Department in this Section, if a Qualified Mortgagee has failed to provide the Housing Department copies of all notices of intent to foreclose and all notices related to the foreclosure contemporaneously with its service on an owner, such Qualified Mortgagee, prior to foreclosing on the Residential Unit, shall provide the Housing Department with
notice of its intent to foreclose ("Mortgagee Notice to the Housing Department"). The Mortgagee Notice to the Housing Department shall include all information relevant to Owner’s default and the actions necessary to cure such default. The Housing Department shall have forty-five (45) days from the date of the Mortgagee Notice to the Housing Department to exercise its rights under Section 9, Qualified Mortgage. If the Housing Department fails to exercise its rights within such 45-day period, the Qualified Mortgagee may foreclose on the Residential Unit as provided herein.

Nothing herein shall limit or restrict an owner’s right of statutory redemption, in which event, if an owner redeems, these Special Restrictions shall remain in full force and effect.

C. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and recorded in the Teton County Clerk’s Office against the title to the Land, in whole or in part, with the written consent of Owner of the Residential Unit Complex and insert the Town of Jackson or Teton County, Wyoming.

D. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener’s errors, erroneous legal descriptions or typographical errors.

SECTION 11. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department and insert the Town of Jackson or Teton County.

SECTION 12. NOTICES. All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

To Housing Department
Jackson/Teton County Affordable Housing Department
P.O. Box 714
Jackson, WY 83001

With a Copy to:
insert the Town of Jackson or Teton County.
insert the Town of Jackson or Teton County.
Jackson, WY 83001.

To Owner

____________________
SECTION 13. ATTORNEY’S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney’s fees and costs of litigation.

SECTION 14. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 15. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 16. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 17. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 18. INDEMNIFICATION. Owner shall indemnify, defend, and hold the Housing Department and insert the Town of Jackson or Teton County, Wyoming, and each entity’s directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys’ fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for Owner’s breach of any provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County, Wyoming.

SECTION 19. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.
SECTION 20. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, Wyoming nor the Housing Department waives governmental immunity by executing these Special Restrictions and each specifically retain immunity and all defenses available to either of them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, Owner has executed this instrument on the _____ day of ________, 20__ (the “Effective Date”).

OWNER:
Click here to enter entity.:

Click here to enter text.

STATE OF Wyoming )
 ) ss.
COUNTY OF Teton )

On the Click here to enter day day of Click here to enter month, 20Click here to enter year, the foregoing Special Restrictions for Affordable Housing was acknowledged before me byClick here to enter Name of signer, as Click here to enter title of signer, of Click here to enter entity.

Witness my hand and official seal.

(Seal)

Notary Public
JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT

____________________________________________________

Insert name of Housing Manager, Housing Manager

STATE OF WYOMING )
                    ) ss.
COUNTY OF TETON )

On the click here to enter day. day of click here to enter month, 20 click here to enter year, the foregoing Special Restrictions for Affordable Housing was acknowledged before me by insert name of Housing Manager as Housing Manager.

Witness my hand and official seal.

(Seal)

Notary Public

AFFIRMED

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS:

______________________________
Click here to enter name of Mayor or Chair, insert Mayor or Chair

ATTEST

______________________________
Click here to enter name of Clerk, insert Town Clerk or County Clerk
COMPLETE AMENDMENT AND RESTATEMENT

Special Restrictions

for Affordable Ownership Housing

Located at Insert property address insert Town of Jackson or Teton County

This Complete Amendment and Restatement of the insert name of old restriction recorded in the Office of the Teton County Clerk as document number insert doc number of old rest. book of photo insert book number of old rest. pages insert page numbers of old rest. for insert property address is made this Insert day________ Day of insert month________, 20__ (the “Effective Date”), by insert name appropriate party from previous restriction and the undersigned owner (“Owner”).

RECITALS:

WHEREAS, the undersigned Owner holds fee ownership interest in that certain real property, known as insert property address insert Town of Jackson or Teton County, Wyoming, and more specifically described as follows:

Click here to enter Legal Description

PIDN:Click here to enter PIN. (the “Land”);

WHEREAS, in furtherance of insert the Town of Jackson or Teton County, Wyoming’s goal of providing affordable housing to qualified Teton County residents who will occupy the housing as their primary residence, and as a condition of its Final Development Plan Approval for Click here to enter name of development and FDP #. (the “ ______ Approval”), Owner was required to Click here to enter how many units are being provided. provide:

Click here to enter description of unit, income range, and location.

The Income Ranges are defined in the Jackson/Teton County Housing Department Rules and Regulations enforced by the Housing Department, such Rules and Regulations are defined in Section 1 below;

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of the insert approval type. FDP, CUP, or other Approval, Owner was required to restrict the initial and all subsequent sales and transfers of each Residential Unit, defined below, to a “Qualified Household”;

WHEREAS, consistent with the foregoing, the Property is subject to those certain insert name of old restriction recorded insert date of recording of old rest. as Document number insert doc. number of old restriction in book of photo insert book no. pages insert page numbers (the “insert year of recording Special Restrictions”);

WHEREAS, in accordance with Section insert section number of the insert recording year Special Restrictions, the Special Restrictions may be modified with the written consent of insert who can consent.
WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners voted to amend their 1990 Resolution creating the Teton County Housing Authority ("TCHA") and further amend the 1999 Resolution, to form a regional Housing Authority pursuant to Wyoming Statute §15-10-116(b) with the County of Teton and the Town of Jackson forming the regional housing authority known as the Jackson/Teton County Housing Authority ("JTCHA"), making the JTCHA the successor in interest to all deeds, documents, leases, and contracts of TCHA;

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department ("Housing Department") who will be employees of Teton County and agents acting on behalf of the JTCHA;

WHEREAS, in accordance with such Section insert section number of the insert year of recording of old rest. Special Restrictions, and consistent with the foregoing Recitals, JTCHA and the undersigned Owner now desire to amend, restate and replace in their entirety with respect to the Residential Unit and Land the insert year of recording old rest. Special Restrictions by adopting these Complete Amended and insert name of this new restriction ("Special Restrictions");

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, the Jackson/Teton County Affordable Housing Department (collectively “Housing Department”) and insert the Town of Jackson or Teton County, Wyoming.

REstrictions:

NOW, THEREFORE, in satisfaction of the conditions in and consideration of the insert approval type Approval and in further consideration of the foregoing Recitals, which are incorporated herein by this reference, undersigned Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, that the Land and each Residential Unit shall be held, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT HOUSING RULES AND REGULATIONS. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended from time to time and which policies, procedures and guidelines are on file with the Housing Department or otherwise with insert the Town of Jackson or Teton County, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.
SECTION 2. OWNERSHIP BY QUALIFIED HOUSEHOLD ONLY.

A. Qualified Household. The ownership, use and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Affordable Housing, as set forth below (“Qualified Household”).

1. Employment Requirement. At least one (1) member of the Qualified Household at time of purchase and during ownership must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business. A “local business” means a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and the business serves clients or customers who are physically located in Teton County, Wyoming.

2. Income Restriction. The Qualified Household’s gross income shall fall between Click here to enter income range. of the median family income in Teton County, Wyoming, as determined by the current year’s published Federal Department of Housing & Urban Development median family income chart for Teton County, Wyoming (“Income Cap”) at time of purchase.

3. No Teton County Residential Real Estate. No member of the Qualified Household may own (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at the time of purchase or any time during ownership of the Residential Unit.

4. Determination by the Housing Department. The Housing Department shall determine whether a prospective owner is a Qualified Household. In addition to any requirements set forth in the Rules and Regulations, such determinations shall be based upon written applications, representations, information and verification as are deemed by the Housing Department to be necessary to establish and substantiate eligibility.

5. Asset Limit. The maximum asset limit for Qualified Households is two (2) times the income limit for a household size of four in accordance with the applicable income range, as further defined and clarified in the Housing Rules and Regulations.

B. No Legal Action. No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against insert the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with insert the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall insert the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. Ownership by Housing Department. Notwithstanding the foregoing, the Housing Department may purchase and own the Residential Unit
SECTION 3. RESTRICTIONS ON OCCUPANCY, IMPROVEMENT AND USE OF RESIDENTIAL UNITS.
In addition to any restrictions included in the Rules and Regulations, occupancy and use of a Residential Unit shall be restricted as follows:

A. **Occupancy.** Each Residential Unit shall be occupied as the Qualified Household’s sole and exclusive primary residence, and each owner of a Residential Unit shall physically reside therein on a full-time basis, at least ten (10) months out of each calendar year. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit.

B. **Business Activity.** No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

C. **Guests.** No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of thirty (30) cumulative days per calendar year.

D. **Renting.** No Residential Unit, or any part thereof, including without limitation, the garage, any portion of any structure, or any room within any structure, may be rented or otherwise occupied by persons other than the members of the Qualified Household.

E. **Maintenance.** The owner shall take good care of the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner’s association and shall make all repairs and maintain the Residential Unit in a safe, sound, habitable, and good condition and state of repair. In case of damage to the Residential Unit, the owner shall repair the damage or replace or restore any destroyed parts of the Residential Unit, as speedily as practical.

F. **Capital Improvements.** The Owner may only undertake capital improvements to the Residential Unit in accordance with the policies set forth in the Rules and Regulations, which policies may include but are not limited to, a limitation on the valuation of such improvements at resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.

G. **Insurance.** The owner shall keep the Residential Unit continuously insured against “all risks” of physical loss (not otherwise covered by a homeowner’s association insurance), for the full replacement value of the Residential Unit.

H. **Compliance with Laws, Declaration.** The Residential Unit shall be occupied in full compliance with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner’s association, as the same may be adopted from time to time.

I. **Periodic Reporting, Inspection.** In order to confirm compliance with these Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential
Unit, each owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

SECTION 4. TRANSFER LIMITATIONS. Each Residential Unit may only be sold in accordance with Sections 5 and 6 below or transferred in accordance herewith as follows:

A. Divorce. In the event of the divorce of an owner, the Housing Department may consent to the transfer of a Residential Unit to a spouse of an owner, which spouse may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

B. Death. In the event of the death of an owner, the Housing Department may consent to the transfer of a Residential Unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

C. Nonqualified Transferee. If title to a Residential Unit vests in a Nonqualified Transferee, as defined in the Rules and Regulations, the Residential Unit shall immediately be listed for sale in accordance with these Special Restrictions and the Rules and Regulations, or in the alternative, the Housing Department may exercise its option herein to purchase the Residential Unit. The following shall apply when the Housing Department determines there is a Nonqualified Transferee:

1. The Housing Department shall provide the Nonqualified Transferee a reasonable period within which to qualify as a Qualified Household.

2. If the Nonqualified Transferee does not qualify as a Qualified Household within such reasonable period, he or she shall cooperate with the Housing Department to effect the sale, conveyance or transfer of the Residential Unit to a Qualified Household and shall execute any and all documents necessary to such sale, conveyance or transfer.

3. A Nonqualified Transferee shall comply with these Special Restrictions, the Rules and Regulations, the Declaration, zoning and all Laws governing the ownership, occupancy, use, development or transfer of the Residential Unit, and further may only occupy the Residential Unit with the prior written consent of the Housing Department.

SECTION 5. SALE OF A RESIDENTIAL UNIT. An owner desiring to sell a Residential Unit shall give written notice to the Housing Department of such desire (the “Notice to Sell”), and after receipt of such notice, the Housing Department shall determine the “Maximum Resale Price,” as provided herein and in accordance with the Rules and Regulations. Upon the Housing Department’s determination of the Maximum Resale Price, the sale of the Residential Unit shall be facilitated by the Housing Department and shall be completed in accordance with the procedure set forth in the Rules and Regulations, which procedure may include, without limitation: a fee (not to exceed
two percent (2%) of the Maximum Resale Price paid to the Housing Department for such facilitation; requirements regarding listing the Residential Unit with the Housing Department and/or a licensed real estate agent, as the Housing Department may direct; standard terms for the sales contract; and procedure for the selection of the purchaser (which selection procedure may include a weighted drawing process). Each purchaser of a Residential Unit shall execute a Buyer’s Acknowledgment of Special Restrictions and Option, on a form to be provided by the Housing Department. Notwithstanding the foregoing, upon receipt of notice from an owner of such owner’s desire to sell a Residential Unit, the Housing Department may purchase such Residential Unit. So long as such owner is not otherwise in default as defined herein, the purchase price in such case shall be the Maximum Resale Price as calculated below and subject to adjustment as provided herein. If an owner is in default, other provisions of these Special Restrictions may apply in determining the purchase price.

SECTION 6. MAXIMUM RESALE PRICE. To further insert the Town of Jackson or Teton County, Wyoming’s goal of providing affordable housing, a Residential Unit may not be sold for a purchase price in excess of the “Maximum Resale Price.” The Maximum Resale Price is the current owner’s purchase price plus an increase in price of the Denver-Boulder-Greeley CPI (if such ceases to exist then a comparable CPI Index as determined in the sole discretion of the Housing Department) or three percent (3%), whichever is lower per year of ownership compounded annually, plus the depreciated cost of pre-approved or government-required capital improvements, plus any other costs allowed by the Housing Department, less any required maintenance and/or repair adjustment, all as more fully described in the Rules and Regulations. Notwithstanding the determination of the Maximum Resale Price, the actual sales proceeds delivered to a selling owner may be reduced to account for restoration or repair of a Residential Unit (including without limitation, replacement of carpets, painting, roof repair, siding maintenance/replacement, etc.) determined necessary in the Housing Department’s sole and absolute discretion. Finally, to ensure that the sales price of any Residential Unit is limited to the Maximum Resale Price, no purchaser of a Residential Unit shall assume any obligation of a selling owner, nor shall such purchaser pay or provide to a selling owner any other form of consideration in connection with the sale of the Residential Unit. The calculation of the Maximum Resale Price, as made by the Housing Department, shall be final and binding on all parties.

NOTHING HEREIN SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR GUARANTY THAT UPON THE RESALE OF A RESIDENTIAL UNIT, OWNER SHALL OBTAIN THE ENTIRE MAXIMUM RESALE PRICE.

SECTION 7. DEFAULT. Each of the following shall be considered a default (“Default”):

A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.

B. Failure to pay or default of any other obligations due or to be performed with respect to a Residential Unit which failure to pay or default could result in a lien against a Residential Unit, including without limitation, homeowner dues, property taxes, payment required by a promissory note or mortgage purporting to affect a Residential Unit. Owner shall notify the Housing Department in writing of any notification received from any lender or third party of past due payments or default in payment or other obligations due or to be performed within five (5) calendar days of Owner’s notification.
C. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially declared bankrupt or insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee in involuntary bankruptcy or other similar officer is appointed to take charge of any substantial part of the Residential Unit or Owner’s property by a court of competent jurisdiction, or if a petition is filed for the reorganization of Owner under any provisions of the Bankruptcy Act now or hereafter enacted, or if Owner files a petition for such reorganization, or for arrangements under any provision of the Bankruptcy Act now or hereafter enacted and providing a plan for a debtor to settle, satisfy or extend the time for payment of debts.

D. Fraud or misrepresentation by purchaser and/or Owner in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a designee of the Housing Department, shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department’s decision, Owner shall proceed in accordance with the Rules and Regulations.

SECTION 8. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, the Housing Department’s remedies shall include the following:

A. Purchase Option.

1. The Housing Department shall have the option to purchase the Residential Unit for a purchase price equal to the Maximum Resale Price, or the appraised value whichever is less, subject to the Housing Department’s ability to limit appreciation as provided in this Section (“Option”) and further subject to the Housing Department’s ability to reduce proceeds as provided above.

2. If the Housing Department desires to exercise its Option, the Housing Department shall provide written notice to the owner of such election. Such notice shall include the purchase price and the timing for the closing of the purchase. The Housing Department shall use reasonable efforts to close the purchase within ninety (90) days of such notice.

B. Forced Sale. The Housing Department may require Owner to sell the Residential Unit in accordance with the resale procedures set forth in these Special Restrictions and the Rules and Regulations.

C. Whether the Housing Department elects to exercise its Option or to force a sale in accordance herewith, all proceeds, unless otherwise required by statute, will be applied in the following order:

FIRST, to the payment of any unpaid taxes;
SECONb, to the payment of any Qualified Mortgage;

THIRD, to assessments, claims and liens on the Residential Unit (not including any mortgage or lien purportedly affecting the Residential Unit which is not a Qualified Mortgage);

FOURTH, to the payment of the closing costs and fees;

FIFTH, to the two percent (2%) facilitation fee to the Housing Department;

SIXTH, to the payment of any penalties assessed against Owner by the Housing Department;

SEVENTH, to the repayment to JTCHA or the Housing Department of any monies advanced by JTCHA in connection with a mortgage or other debt with respect to a Residential Unit, or any other payment made on owner’s behalf;

EIGHTH, to any repairs needed for the Residential Unit; and

NINTH, any remaining proceeds shall be paid to Owner.

If there are insufficient proceeds to satisfy the foregoing, Owner shall remain personally liable for such deficiency.

D. Appointment of Housing Department as Owner’s Attorney-in-Fact. In the event the Housing Department exercises its Option or requires the Forced Sale, Owner hereby irrevocably appoints the then-serving Housing Manager as such Owner’s attorney-in-fact to effect any such purchase or sale on Owner’s behalf (including without limitation the right to cause an inspection of the Residential Unit and make such repairs to the Residential Unit as the Housing Department may reasonably deem necessary), and to execute any and all deeds of conveyance or other instruments necessary to fully effect such purchase or sale and conveyance.

E. Limitation on Appreciation at Resale. The Housing Department may fix the Maximum Resale Price of a defaulting owner’s Residential Unit to the Maximum Resale Price for the Residential Unit as of the date of an owner’s Default (or as of such date after the Default as the Housing Department may determine), and in such event, the Maximum Resale Price shall cease thereafter to increase.

F. Equitable Relief. The Housing Department shall have the right of specific performance of these Special Restrictions and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance. Any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or under the laws of the State of Wyoming.

SECTION 9. QUALIFIED MORTGAGE.
A. Only a mortgage which is a "Qualified Mortgage" shall be permitted to encumber a Residential Unit. A “Qualified Mortgage” is a mortgage that:

1. the principal amount of such mortgage at purchase does not exceed ninety-six and one half percent (96.5%) of the purchase price, and thereafter the principal amount of such mortgage, any refinanced mortgage and/or additional mortgages combined do not exceed ninety-five percent (95%) of the then current Maximum Resale Price as the same is determined by the Housing Department at the time or times any such mortgage purports to encumber the Residential Unit; and

2. runs in favor of a “Qualified Mortgagee,” defined as:

   i. An “institutional lender” such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which institutional lender are subject to direct governmental supervision; or

   ii. A “community loan fund”, or similar non-profit lender to housing projects for income-eligible persons (e.g., is not given to or acquired by any individual person); or

   iii. A non-affiliated, legitimate, “finance company.” In no event may such finance company be an individual or any company that is affiliated with or has any affiliation with Owner or any family member of Owner.

B. Any mortgage, lien or other encumbrance executed or recorded against a Residential Unit that is not a Qualified Mortgage shall:

1. be deemed unsecured; and

2. only be a personal obligation of an owner and shall not affect or burden, and shall not be enforceable against, such Residential Unit.

Additionally, the execution or recordation of such mortgage, lien or other encumbrance shall be deemed a default hereunder and JTCHA and/or the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation the right of the Housing Department to purchase and to force a sale.

C. In the event an owner fails to make timely payment owed or otherwise breaches any of the covenants or agreements made in connection with any mortgage, lien or other encumbrance purporting to affect the Residential Unit, including without limitation a Qualified Mortgage, fails to timely make any other payment required in connection with the Residential Unit, including without limitation homeowner association dues and fees, assessments, payments to contractors, materialmen, or other vendors for work undertaken for which a lien could be filed against the Residential Unit, or declares bankruptcy, the Housing Department shall have (in addition to the any other remedies) the right to:
1. Cure such default and assume the payments and other obligations of Owner. In such event, Owner shall be in default of these Special Restrictions, and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation its option to purchase and its right to force a sale. In addition to such remedies, Owner shall also be liable to the Housing Department for any amounts advanced.

2. Acquire the loan from the lender by paying the balance due together with reasonable accrued interest and costs, and the Housing Department shall thereafter have the right to foreclose upon the Residential Unit in accordance with the mortgage and other loan documents or take such other action as the Housing Department shall determine.

3. Purchase the Residential Unit at any foreclosure sale, and in such event, notwithstanding anything to the contrary herein, the Residential Unit shall remain subject to these Special Restrictions.

ANY LENDER BY ENTERING INTO A LOAN TRANSACTION WITH AN OWNER OF A RESIDENTIAL UNIT HEREBY CONSENTS TO THE FOREGOING.

SECTION 10. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. Termination by insert the Town of Jackson or Teton County, Wyoming. These Special Restrictions may be terminated after a determination by insert the Town of Jackson or Teton County, Wyoming that these Special Restrictions are no longer consistent with the goal of providing affordable housing.

B. Termination Resulting from Foreclosure by a Qualified Mortgagee. These Special Restrictions as applied to a Residential Unit may be terminated by a Qualified Mortgagee in the event of a lawful foreclosure of the Residential Unit by such Qualified Mortgagee, as follows:

1. The Qualified Mortgagee provided to the Housing Department copies of all notices of intent to foreclose and all other notices related to the foreclosure contemporaneously with its service of such notices upon an owner.

2. The Housing Department did not exercise its rights as provided in Section 9, Qualified Mortgage.

3. Termination may occur only after expiration of all applicable redemption periods and subsequent recordation of a Sheriff’s Deed (or other transfer document as approved by the Housing Department in its sole and absolute discretion) conveying title to a purchaser, who is not (i) Owner, (ii) a member of the Qualified Household, (iii) a person affiliated with or related to Owner or any member of the Qualified Household, or (iv) the Housing Department.

4. In the event of a foreclosure hereunder, the Qualified Mortgagee shall pay to the Housing Department all proceeds remaining, if any, after payment of the
Qualified Mortgage loan amount, interest, penalties and fees, which proceeds would have been payable to Owner of the foreclosed Residential Unit.

5. Notwithstanding the notice requirements to the Housing Department in this Section, if a Qualified Mortgagee has failed to provide the Housing Department copies of all notices of intent to foreclose and all notices related to the foreclosure contemporaneously with its service on an owner, such Qualified Mortgagee, prior to foreclosing on the Residential Unit, shall provide the Housing Department with notice of its intent to foreclose (“Mortgagee Notice to the Housing Department”). The Mortgagee Notice to the Housing Department shall include all information relevant to Owner’s default and the actions necessary to cure such default. The Housing Department shall have forty-five (45) days from the date of the Mortgagee Notice to the Housing Department to exercise its rights under Section 9, Qualified Mortgage. If the Housing Department fails to exercise its rights within such 45-day period, the Qualified Mortgagee may foreclose on the Residential Unit as provided herein.

Nothing herein shall limit or restrict an owner’s right of statutory redemption, in which event, if an owner redeems, these Special Restrictions shall remain in full force and effect.

C. **Amendment.** These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and recorded in the Teton County Clerk’s Office against the title to the Land, in whole or in part, with the written consent of Owner of the Residential Unit Complex and insert the Town of Jackson or Teton County, Wyoming.

D. **Correction.** The Housing Department may unilaterally correct these Special Restrictions to address scrivener’s errors, erroneous legal descriptions or typographical errors.

SECTION 11. **SPECIAL RESTRICTIONS AS COVENANT.** These Special Restrictions shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department and insert the Town of Jackson or Teton County.

SECTION 12. **NOTICES.** All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

**To Housing Department**
Jackson/Teton County Affordable Housing Department
P.O. Box 714
Jackson, WY 83001
With a Copy to:
insert the Town of Jackson or Teton County.
insert the Town of Jackson or Teton County.
Jackson, WY 83001.

To Owner
_____________________
_____________________
_____________________

SECTION 13. ATTORNEY’S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney’s fees and costs of litigation.

SECTION 14. CHOICE OF LAW, FORUM, These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 15. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 16. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 17. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 18. INDEMNIFICATION. Owner shall indemnify, defend, and hold the Housing Department and insert the Town of Jackson or Teton County, Wyoming, and each entity’s directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys’ fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for Owner’s breach of any
provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County, Wyoming.

SECTION 19. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 20. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, Wyoming nor the Housing Department waives governmental immunity by executing these Special Restrictions and each specifically retain immunity and all defenses available to either of them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, Owner has executed this instrument on the _____ day of ______, 20__ (the “Effective Date”).

OWNER:
Click here to enter entity:

Click here to enter text.

STATE OF Wyoming

) ss.

COUNTY OF Teton

On the Click here to enter day day of Click here to enter month, 20Click here to enter year, the foregoing Special Restrictions for Affordable Housing was acknowledged before me byClick here to enter Name of signer, as Click here to enter title of signer, of Click here to enter entity.

Witness my hand and official seal.

(Seal)

Notary Public
JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT

____________________________________________________
Insert name of Housing Manager, Housing Manager

STATE OF WYOMING )
 ) ss.
COUNTY OF TETON )

On the Click here to enter day. day of Click here to enter month, 20 Click here to enter year, the foregoing Special Restrictions for Affordable Housing was acknowledged before me by insert name of Housing Manager as Housing Manager.

Witness my hand and official seal.

(Seal)

Notary Public

AFFIRMED

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS:

____________________________________________________
Click here to enter name of Mayor or Chair, insert Mayor or Chair

ATTEST

____________________________________________________
Click here to enter name of Clerk, insert Town Clerk or County Clerk
Special Restrictions
for Affordable Rental Housing
Located at Type Address, insert The Town of Jackson or Teton County

These Special Restrictions for Affordable Rental Housing ("Special Restrictions"), are made and entered into this ____________ day of _____________, 20__, by the undersigned Owner ("Owner") and insert the Town of Jackson or Teton County, Wyoming.

RECITALS:

WHEREAS, Owner holds fee ownership interest in that certain real property, located in insert the Town of Jackson or Teton County Wyoming, and more specifically described as follows:

Click here to add legal description of property.

PIDN: Click here to type PIDN # ("Land")

WHEREAS, as a condition of its approval for permit #Click here to enter Permit #. ("_______ Approval"), Owner was required to provide and restrict as follows:

Owner developed property addressed as ____________, __________, Wyoming 830__ for a ______square foot retail/service/office/residential/etc. building. This development generated the obligation to provide Affordable Rental Housing in accordance with _____ Approval. Owner is restricting:

• Unit ________, with ______ number of bedrooms with Income Range________.
• Unit ________, with ______ number of bedrooms with Income Range________.
• Unit ________, with ______ number of bedrooms with Income Range________.

(hereinafter “Residential Unit” or Residential Unit Complex”).

The Income Ranges are defined in the Jackson/Teton County Housing Department Rules and Regulations enforced by the Jackson/Teton County Affordable Housing Department, such Rules and Regulations are defined in Section 1 below;

WHEREAS, in accordance with the ______ Approval, the Residential Unit is intended to address the need for rental housing for employees in Teton County, Wyoming and therefore Owner agrees it will not be owner-occupied;

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority ("JTCHA");
WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department (‘Housing Department’) who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce this Special Restriction;

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of insert approval type (FDP, CUP, etc.) Approval, and consistent with the insert the Town of Jackson or Teton County’s goal of providing decent, safe and sanitary housing to qualified employees working in Teton County, Wyoming, that is affordable, Owner agrees to restrict the use and occupancy of the Residential Unit to a “Qualified Household,” which meets employment, income and asset ownership qualifications as set forth herein and as further defined in the Jackson/Teton County Housing Department Rules and Regulations;

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by Housing Department and insert the Town of Jackson or Teton County, Wyoming.

REstrictions:

NOW, THEREFORE, in satisfaction of the insert approval type (FDP, CUP, etc) Approval, and in further consideration of the foregoing Recitals, which are incorporated herein by this reference, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, that the Land and each Residential Unit shall be held, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

section 1. Jackson/Teton County Housing Department Rules and Regulations. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures, and guidelines are on file with the Housing Department or otherwise with insert the Town of Jackson or Teton County, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.

section 2. restrictions on occupancy and use of residential unit. In addition to any restrictions included in the current Housing Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:
A. **Qualified Household.** The rental, use and occupancy of the Residential Unit shall be limited to a Qualified Household, as set forth below (“Qualified Household”):

1. **Employment Requirement.** At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business. A “local business” means a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and the business serves clients or customers who are physically located in Teton County, Wyoming.

2. **Income Restriction.** The Qualified Household’s gross income shall fall between Click here to enter income range. of the median family income in Teton County, Wyoming, as determined by the current year’s published Federal Department of Housing & Urban Development median family income chart for Teton County, Wyoming (“Income Cap”).

3. **No Teton County Residential Real Estate.** No member of the Qualified Household may own (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.

4. **Initial Determination by Owner.** Owner shall require each prospective renter of a Residential Unit to provide information sufficient to show eligibility as a Qualified Household under the Affordable Housing Program pursuant to the requirements of this restriction and the Housing Rules and Regulations. The determination shall be based upon written applications, representations, information and verifications, including at a minimum, a W-2 for each adult renter or other IRS filing showing source of earnings, a signed and sworn statement regarding ownership of other real estate and a list of current employer(s), hours worked as well as contact information for each employer(s) and other such information reasonably requested by the Housing Department to verify and substantiate as a Qualified Household.

5. **Continuing Obligation to Remain a Qualified Household.** The occupants of the Residential Unit shall satisfy the definition of a Qualified Household at all times during the occupancy of the Residential Unit.

6. **Occupancy.** Each Residential Unit shall be occupied as the Qualified Household’s sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a full-time basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit.

7. **Reporting Requirement – Housing Department Determination.** Owner shall, by January 31 of each year, provide to the Housing Department a summary of the eligibility verification information contained above for each occupant of a Residential Unit as set forth on the Housing Department Template that will be
provided to Owner. Upon written request by the Housing Department for supporting documentation, Owner shall provide the same within fifteen (15) business days of receipt of such written request. Additionally, Owner shall, by January 31 of each year, provide the Housing Department with its most current lease form for Residential Units. Each Residential Unit Lease must state, and it is a material consideration of this restriction, that the Housing Department has the ultimate and final authority to determine eligibility of households renting Residential Units. If the Housing Department, upon review of supporting documentation determines that an occupant of a Residential Unit does not qualify as a Qualified Household, the Housing Department shall have the authority to require the Owner to terminate the lease between Owner and the occupant of a Residential Unit pursuant to Sections 4 & 5 below.

B. No Legal Action. No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against insert the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with insert the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall insert the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. Occupancy Requirement. The Qualified Household must physically occupy the Residential Unit on a full-time basis for at least eighty percent (80%) of the Rental Term.

D. No Owner Occupancy. Owner shall not reside in or occupy the Residential Unit. For purposes of this paragraph, if Owner is an entity (including without limitation, a partnership, limited partnership, Limited Liability Company, corporation, association, or other) or a trust, this prohibition on owner-occupancy shall extend to any partner, member, shareholder, other principal or owner of the entity, and any trustee or beneficiary of the trust.

E. Household Composition. Only members of the Qualified Household may occupy a Residential Unit, except that Owner may restrict who may reside in a Residential Unit, provided that such owner-restriction does not violate Federal or state fair housing laws. Notwithstanding the foregoing, occupancy of the Residential Unit shall be in compliance with any and all building codes (or other relevant law, code, statute, ordinance or the like) regarding maximum occupancy standards or limitations.

F. Written Lease Requirement. Occupancy of the Residential Unit shall be pursuant to a written lease, the form of which may be approved by Housing Department as it may require. Owner of the Residential Unit shall obtain written verification of income, asset ownership, and employment in Teton County, Wyoming for each Qualified Household.
proposing to rent the Residential Unit prior to such Household’s occupancy, and upon each extension or renewal of any lease therefore.

G. **Rental Term.** The Residential Unit shall be offered for rent in periods of not less than six (6) months.

H. **Rental Rate.** The household size used to determine the median family income is based on one (1) person per bedroom. A studio Residential Unit’s maximum rent will be fifteen percent (15%) less than the maximum rental rate for a one-bedroom Residential Unit. The maximum monthly rental rate for [insert median family income range] is: [insert the low end of the median family income range] multiply by [thirty percent (30%)] and divide by twelve (12) = ______________. The rent charged must include basic utilities (electric, gas, water, sewer) and trash removal. Notwithstanding the foregoing to the contrary, the rental rate charged by Owner may at any time be less than the maximum rent calculation.

I. **Rental Unit:** Except as provided herein, the Residential Unit shall remain a rental unit for Qualified Households.

J. **Guests.** No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of ten percent (10%) of the Rental Term in cumulative days per calendar year.

K. **Vacancies.** The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.

L. **Business Activity.** No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

M. **Compliance with Laws, Declaration.** The Residential Unit shall be occupied in full compliance with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner’s association, as the same may be adopted from time to time.

N. **Insurance.** Owner shall keep the Residential Unit continuously insured against “all risks” of physical loss (not otherwise covered by a homeowner’s association insurance), for the full replacement value of the Residential Unit.

O. **Maintenance.** Owner shall be responsible for the cost and expense to keep and maintain the interior of the Residential Unit and all other aspects of the Residential Unit not
otherwise maintained by a homeowner’s association in a safe, decent and sanitary condition. In the event Owner fails to maintain the Residential Unit in a safe, decent and sanitary condition and such condition continues for fourteen (14) days after notice from the Housing Department, the Housing Department shall have the right but not the obligation to enter the Residential Unit and repair such condition and Owner shall reimburse Housing Department for such reasonable repair costs. Payment to Housing Department from Owner shall be due upon receipt of invoice.

P. Periodic Reporting, Inspection. In order to confirm compliance with these Special Restrictions, each owner shall comply, and cause its tenants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to Owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

Q. Preference. Owner may give first-priority to rent the Residential Unit to Qualified Households of which a member of the Household is an employee of Owner. In the event there are no persons directly employed by Owner to whom Owner desires to rent the Residential Unit, then Owner may rent to any Qualified Household.

SECTION 3. SALE OF THE RESIDENTIAL UNIT COMPLEX. The Residential Unit Complex may be bought and sold as Owner may determine except that all reporting and record-keeping required herein shall be continuous and any new owner shall obtain the required records from the prior owner. Within ten (10) days prior to the closing of the sale or other transfer of the Complex, Owner shall notify the Housing Department of the pending sale or transfer and, prior to closing, provide the Housing Department with contact information (including without limitation, mailing address, phone number and email) for the new owner.

SECTION 4. DEFAULT. Each of the following shall be considered a default (“Default”):

A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.

B. A violation of any term of these Special Restrictions or any laws affecting the Residential Unit.

C. Vacancy of a Residential Unit for more than sixty (60) days continuously.

D. Fraud or misrepresentation by Owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.
E. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially declared bankrupt or insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee in involuntary bankruptcy or other similar officer is appointed to take charge of any substantial part of the Residential Unit or Owner’s property by a court of competent jurisdiction, or if a petition is filed for the reorganization of Owner under any provisions of the Bankruptcy Act now or hereafter enacted, or if Owner files a petition for such reorganization, or for arrangements under any provision of the Bankruptcy Act now or hereafter enacted and providing a plan for a debtor to settle, satisfy or extend the time for payment of debts.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a Designee of the Housing Department shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department’s decision, Owner shall proceed in accordance with the Rules and Regulations.

SECTION 5. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, after notice and opportunity to cure as set forth in the preceding section, the Housing Department’s remedies shall include, without limitation, the following:

A. **Specific Performance.** The Housing Department shall have the right of specific performance of these Special Restrictions and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance.

B. **Equitable Relief.** In addition to subsection A, any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or any other action authorized under the laws of the State of Wyoming.

SECTION 6. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. **Termination.** These Special Restrictions may be terminated after a determination by the insert the Town of Jackson or Teton County, Wyoming that these Special Restrictions are no longer consistent with the insert the Town of Jackson or Teton County, Wyoming goals for affordable housing.

B. **Amendment.** These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and recorded in the Teton County Clerk’s Office against the title to the Land, in whole or in part, with the written consent of Owner of the Residential Unit Complex and insert the Town of Jackson or Teton County, Wyoming.

C. **Correction.** The Housing Department may unilaterally correct these Special Restrictions to address scrivener’s errors, erroneous legal descriptions or typographical errors.
SECTION 7. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department and insert the Town of Jackson or Teton County.

SECTION 8. NOTICES. All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

To Housing Department
Jackson/Teton County Affordable Housing Department
P.O. Box 714
Jackson, WY 83001

With a Copy to:
insert the Town of Jackson or Teton County.
insert the Town of Jackson or Teton County.
Jackson, WY 83001.

To Owner
_____________________
_____________________
_____________________

SECTION 9. ATTORNEY’S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney’s fees and costs of litigation.

SECTION 10. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions
SECTION 11. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 12. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 13. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 14. INDEMNIFICATION. Owner shall indemnify, defend, and hold the Housing Department and insert the Town of Jackson or Teton County, and its directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys’ fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for an owner’s breach of any provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County.

SECTION 15. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 16. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, JTCHA, nor the Housing Department waive governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, Owner has executed this instrument on the ______ day of ________, 20____ (the “Effective Date”).

OWNER:
Click here to enter name of LLC or other entity.

Click here to enter Name and Title of authorized signer.
STATE OF WYOMING  )
COUNTY OF TETON  ) ss.

On the ________________ day of ___________, 20 ____, the foregoing Special Restrictions for Employee Housing was acknowledged before me by Click here to enter Name of signer as Click here to enter title of signer of Click here to enter name of entity.

Witness my hand and official seal.

(Seal)

________________________________________________
Notary Public

INSERT THE TOWN OF JACKSON OR TETON COUNTY:

________________________________________________
Insert name of Mayor or Chair, insert Mayor or Chair

ATTEST:

________________________________________________
Insert name of Town or County Clerk, insert Town Clerk or County Clerk

STATE OF WYOMING  )
COUNTY OF TETON  ) ss.

On the __________ day of ____________, 20__, the foregoing instrument was acknowledged before me by insert name of Mayor or Chair as insert Mayor or Chair of insert the Town of Jackson or Teton County Board of County Commissioners, Wyoming.

Witness my hand and official seal.

(Seal)

________________________________________________
Notary Public
My commission expires:

10 of 11 Affordable Rental Housing
08/18
JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:

____________________________________________________
Insert name of Housing Manager, Housing Manager

STATE OF WYOMING )
       ) ss.
COUNTY OF TETON )

On the _____ day of ____________, 20__, the foregoing instrument was acknowledged before me by [Click here to enter name of Housing Manager], as Housing Manager of the Jackson/The Town of Jackson Affordable Housing Department.

Witness my hand and official seal.

(Seal)

Notary Public
My commission expires:
Special Restrictions
For Workforce Ownership Housing
Located at
Insert property address insert Town of Jackson or Teton County, Wyoming

These Special Restrictions for Workforce Ownership Housing are made this ____ day of ________________, 20__ (the “Effective Date”), by the undersigned Owner (“Owner”) and insert the Town of Jackson or Teton County, Wyoming.

RECITALS:

WHEREAS, Owner holds fee ownership interest in that certain real property, located in insert the Town of Jackson or Teton County, Wyoming, and more specifically described as follows:

Insert legal description of property

PIDN: [insert PIDN number (“Land”)]

WHEREAS, as a condition of its approval for permit #Click here to enter Permit #. (“_______ Approval”), Owner was required to provide and restrict as follows:

Owner developed property addressed as ______________, __________, Wyoming 830____ for a _______ square foot retail/service/office/residential/etc. building. This development generated the obligation to provide Workforce Ownership Housing in accordance with ______ Approval. Owner is restricting:

• Unit _______, with _______ number of bedrooms.
• Unit _______, with _______ number of bedrooms.
• Unit _______, with _______ number of bedrooms.

(hereinafter “Residential Unit” or Residential Units”).

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority (“JTCHA”);

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department (“Housing Department”) who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce this Special Restriction;

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of insert approval type (FDP, CUP, etc.) Approval, and consistent with the insert the Town of Jackson or Teton County’s goal of providing decent, safe and sanitary housing to qualified employees working in Teton County, Wyoming, that is affordable, Owner agrees to restrict the use and occupancy of the
Residential Unit to a “Qualified Household,” which meets employment, income and asset ownership qualifications as set forth herein and as further defined in the Jackson/Teton County Housing Department Rules and Regulations;

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by Housing Department and insert the Town of Jackson or Teton County, Wyoming;

RESTRICTIONS:

NOW THEREFORE, in satisfaction of the conditions in the Click here to enter approval type (FDP, CUP or other) Approval, and in further consideration of the foregoing Recitals, which are by this reference incorporated herein, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, that the Land and each Residential Unit shall be owned, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT RULES AND REGULATIONS. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures and guidelines are on file with the Housing Department or otherwise with insert the Town of Jackson or Teton County, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.

SECTION 2. OWNERSHIP BY QUALIFIED HOUSEHOLD.

A. Qualified Household. The ownership, use and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Workforce Housing, as set forth below and as may be further detailed in the Rules and Regulations (“Qualified Household”).

1. Employment Requirement. At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business. A “local business” means a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and the business serves clients or customers who are physically located in Teton County, Wyoming.
2. **Income Requirement:** The entire Qualified Household must earn at least seventy-five percent (75%) of the Household’s income from a local business, as defined above.

3. **No Teton County Residential Real Estate.** No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.

4. **Determination by the Housing Department.** The Housing Department shall determine whether a prospective occupant is a Qualified Household. In addition to any requirements set forth in the Rules and Regulations, such determinations shall be based upon written applications, representations, information and verification as are deemed by the Housing Department to be necessary to establish and substantiate eligibility.

5. **Continuing Obligation to Remain a Qualified Household.** Households residing in the Residential Unit shall satisfy the definition of a Qualified Household at all times during occupancy of the Residential Unit.

B. **No Legal Action.** No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against insert the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with insert the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall insert the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. **Ownership by Housing Department.** Notwithstanding the foregoing, the Housing Department may purchase and own the Residential Unit.

**SECTION 3. RESTRICTIONS ON OCCUPANCY, IMPROVEMENT AND USE OF RESIDENTIAL UNIT.** In addition to any restrictions included in the Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:

A. **Occupancy.**

1. **Occupancy by Owner.** The Residential Unit may only be occupied by a Qualified Household, shall be such Qualified Household’s sole and exclusive primary residence, and each Qualified Household occupying the Residential Unit shall physically reside therein on a full-time basis, at least ten (10) months out of each calendar year. Except for permitted guests, no person other than those comprising the Qualified Household may occupy the Unit, provided that such requirement does not violate federal or state fair housing laws.
2. Occupancy by Tenant. The Residential Unit occupied by a tenant shall be the Qualified Household’s sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a full-time basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit. Only members of the Qualified Household may occupy a Residential Unit.

B. Business Activity. No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

C. Guests. No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of thirty (30) cumulative days per calendar year.

D. Renting. Owners may rent the Residential Unit to a Qualified Household after verification and qualification of eligibility by the Housing Department.

E. Rental Term. The Residential Unit shall be offered for rent in periods of not less than thirty-one (31) days.

F. Vacancies. The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.

G. Maintenance. The owner shall take good care of the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner’s association and shall make all repairs and maintain the Residential Unit in a safe, sound, habitable, and good condition and state of repair. In case of damage to the Residential Unit, the owner shall repair the damage or replace or restore any destroyed parts of the Residential Unit, as speedily as practical.

H. Capital Improvements. The Owner may only undertake capital improvements to the Residential Unit in accordance with the policies set forth in the Rules and Regulations, which policies may include but are not limited to, a limitation on the valuation of such improvements at resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.

I. Insurance. The owner shall keep the Residential Unit continuously insured against “all risks” of physical loss (not otherwise covered by a homeowner’s association insurance), for the full replacement value of the Residential Unit.

J. Compliance with Laws, Declaration. The Residential Unit shall be occupied in full compliance with all laws, statutes, codes, rules, or regulations, covenants, conditions and
restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner’s association, as the same may be adopted from time to time.

K. Periodic Reporting, Inspection. In order to confirm compliance with these Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential Unit, Owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to Owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

SECTION 4. TRANSFER LIMITATIONS. Each Residential Unit may only be sold in accordance with Sections 5, 6 and 7 below or transferred in accordance herewith as follows:

A. Divorce. In the event of the divorce of an owner, the Housing Department may consent to the transfer of the Residential Unit to the spouse of such owner, which spouse may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

B. Death. In the event of the death of an owner, the Housing Department may consent to the transfer of the Residential Unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

C. Nonqualified Transferee. If title to the Residential Unit vests in a Nonqualified Transferee, as defined in the Rules and Regulations, the Residential Unit shall immediately be listed for sale in accordance with these Special Restrictions and the Rules and Regulations, or in the alternative, the Housing Department may exercise its option herein to purchase the Residential Unit. The following shall apply when the Housing Department determines there is a Nonqualified Transferee:

1. The Housing Department shall provide the Nonqualified Transferee a reasonable period within which to qualify as a Qualified Household.

2. If the Nonqualified Transferee does not qualify as a Qualified Household within such reasonable period, he or she shall cooperate with the Housing Department to effect the sale, conveyance or transfer of the Residential Unit to a Qualified Household and shall execute any and all documents necessary to such sale, conveyance or transfer.

3. A Nonqualified Transferee shall comply with these Special Restrictions, the Rules and Regulations, the Declaration, zoning and all Laws governing the ownership, occupancy, use, development or transfer of the Residential Unit, and further may
only occupy the Residential Unit with the prior written consent of the Housing Department.

SECTION 5. INITIAL SALE OF THE RESIDENTIAL UNIT. At initial sale, the Residential Unit may only be sold to a Qualified Household at a purchase price as Owner and prospective buyer may determine. After Owner and a prospective buyer enter into a purchase agreement for the purchase and sale of the Unit and at least thirty (30) days prior to purported closing of the purchase and sale, the prospective buyer shall provide such information as may be required by the Housing Department for it to determine if the prospective buyer is a Qualified Household. If the prospective buyer does not qualify as a Qualified Household, such buyer may not purchase the Unit. At all subsequent sales, the Housing Department will conduct a Weighted Drawing to identify a buyer.

SECTION 6. RESALE OF RESIDENTIAL UNIT. Owner desiring to sell a Residential Unit shall give written notice to the Housing Department of such desire (the “Notice to Sell”), and after receipt of such notice, the Housing Department shall determine the “Maximum Resale Price,” as provided herein and in accordance with the Rules and Regulations. Upon the Housing Department’s determination of the Maximum Resale Price, the sale of the Residential Unit shall be facilitated by the Housing Department and shall be completed in accordance with the procedure set forth in the Rules and Regulations, which procedure may include, without limitation: a fee (not to exceed two percent (2%)) of the Maximum Resale Price paid to the Housing Department for such facilitation; requirements regarding listing the Residential Unit with the Housing Department and/or a licensed real estate agent, as the Housing Department may direct; standard terms for the sales contract; and procedure for the selection of the purchaser (which selection procedure may include a weighted drawing process). Each purchaser of a Residential Unit shall execute a Buyer’s Acknowledgment of Special Restrictions and Option, on a form to be provided by the Housing Department. Notwithstanding the foregoing, upon receipt of notice from an owner of such owner’s desire to sell a Residential Unit, the Housing Department may purchase such Residential Unit. So long as such owner is not otherwise in default as defined herein, the purchase price in such case shall be the Maximum Resale Price as calculated below and subject to adjustment as provided herein. If an owner is in default, other provisions of these Special Restrictions may apply in determining the purchase price.

SECTION 7. MAXIMUM RESALE PRICE. To further insert the Town of Jackson or Teton County, Wyoming’s goal of providing affordable housing, after the initial sale, a Residential Unit may not be sold for a purchase price in excess of the “Maximum Resale Price.” The Maximum Resale Price is the current owner’s purchase price plus an increase in price of the Denver-Boulder-Greeley CPI (if such ceases to exist then a comparable CPI Index as determined in the sole discretion of the Housing Department) or three percent (3%), whichever is lower, per year of ownership compounded annually, plus the depreciated cost of pre-approved or government-required capital improvements, plus any other costs allowed by the Housing Department, less any required maintenance and/or repair adjustment, all as more fully described in the Rules and Regulations. Notwithstanding the determination of the Maximum Resale Price, the actual sales proceeds delivered to a selling owner may be reduced to account for restoration or repair of a Residential Unit (including without limitation, replacement of carpets, painting, roof repair, siding maintenance/replacement, etc.) determined necessary in the Housing Department’s sole and absolute discretion. Finally, to ensure that the sales price of any Residential Unit is limited to the
Maximum Resale Price, no purchaser of a Residential Unit shall assume any obligation of a selling owner, nor shall such purchaser pay or provide to a selling owner any other form of consideration in connection with the sale of the Residential Unit. The calculation of the Maximum Resale Price, as made by the Housing Department, shall be final and binding on all parties.

NOTHING HEREIN SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR GUARANTY THAT UPON THE RESALE OF A RESIDENTIAL UNIT, OWNER SHALL OBTAIN THE ENTIRE MAXIMUM RESALE PRICE.

SECTION 8. DEFAULT. Each of the following shall be considered a default ("Default"):  

A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.  
B. Vacancy of a Residential Unit for more than sixty (60) days continuously  
C. Failure to pay or default of any other obligations due or to be performed with respect to a Residential Unit which failure to pay or default could result in a lien against a Residential Unit, including without limitation, homeowner dues, property taxes, payment required by a promissory note or mortgage purporting to affect a Residential Unit. Owner shall notify the Housing Department in writing of any notification received from any lender or third party of past due payments or default in payment or other obligations due or to be performed within five (5) calendar days of Owner’s notification.  
D. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially declared bankrupt or insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee in involuntary bankruptcy or other similar officer is appointed to take charge of any substantial part of the Residential Unit or Owner’s property by a court of competent jurisdiction, or if a petition is filed for the reorganization of Owner under any provisions of the Bankruptcy Act now or hereafter enacted, or if Owner files a petition for such reorganization, or for arrangements under any provision of the Bankruptcy Act now or hereafter enacted and providing a plan for a debtor to settle, satisfy or extend the time for payment of debts.  
E. Fraud or misrepresentation by purchaser, Owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.  

In the event the Housing Department believes there to be a Default, the Housing Manager, or a designee of the Housing Department, shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department’s decision, Owner shall proceed in accordance with the Rules and Regulations.  

SECTION 9. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, the Housing Department’s remedies shall include, without limitation, the following:
A. **Purchase Option.**

1. The Housing Department shall have the option to purchase the Residential Unit for a purchase price equal to the Maximum Resale Price, or the appraised value whichever is less, subject to the Housing Department’s ability to limit appreciation as provided in this Section ("Option") and further subject to the Housing Department’s ability to reduce proceeds as provided above.

2. If the Housing Department desires to exercise its Option, the Housing Department shall provide written notice to Owner of such election. Such notice shall include the purchase price and the timing for the closing of the purchase. The Housing Department shall use reasonable efforts to close the purchase within ninety (90) days of such notice.

B. **Forced Sale.** The Housing Department may require Owner to sell the Residential Unit in accordance with the resale procedures set forth in these Special Restrictions and the Rules and Regulations.

C. Whether the Housing Department elects to exercise its Option or to force a sale in accordance herewith, all proceeds, unless otherwise required by statute, will be applied in the following order:

- **FIRST,** to the payment of any unpaid taxes;
- **SECOND,** to the payment of any Qualified Mortgage;
- **THIRD,** to assessments, claims and liens on the Residential Unit (not including any mortgage or lien purportedly affecting the Residential Unit which is not a Qualified Mortgage);
- **FOURTH,** to the payment of the closing costs and fees;
- **FIFTH,** to the two percent (2%) facilitation fee to the Housing Department;
- **SIXTH,** to the payment of any penalties assessed against Owner by the Housing Department;
- **SEVENTH,** to the repayment to the Housing Department of any monies advanced by it in connection with a mortgage or other debt with respect to a Residential Unit, or any other payment made Owner’s behalf;
- **EIGHTH,** to any repairs needed for the Residential Unit; and
- **NINTH,** any remaining proceeds shall be paid to Owner.

If there are insufficient proceeds to satisfy the foregoing, Owner shall remain personally liable for such deficiency.
D. **Appointment of Housing Department as Owner’s Attorney-in-Fact.** In the event the Housing Department exercises its Option or requires the Forced Sale, Owner hereby irrevocably appoints the then-serving Housing Manager as such Owner’s attorney-in-fact to effect any such purchase or sale on Owner’s behalf (including without limitation the right to cause an inspection of the Residential Unit and make such repairs to the Residential Unit as the Housing Department may reasonably deem necessary), and to execute any and all deeds of conveyance or other instruments necessary to fully effect such purchase or sale and conveyance.

E. **Limitation on Appreciation at Resale.** The Housing Department may fix the Maximum Resale Price of a defaulting owner’s Residential Unit to the Maximum Resale Price for the Residential Unit as of the date of an owner’s Default (or as of such date after the Default as the Housing Department may determine), and in such event, the Maximum Resale Price shall cease thereafter to increase.

F. **Equitable Relief.** The Housing Department shall have the right of specific performance of these Special Restrictions and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance. Any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or under the laws of the State of Wyoming.

**SECTION 10. QUALIFIED MORTGAGE.**

A. Only a mortgage which is a "Qualified Mortgage" shall be permitted to encumber a Residential Unit. A “Qualified Mortgage” is a mortgage that:

1. the principal amount of such mortgage at purchase does not exceed ninety-six and one half percent (96.5%) of the purchase price, and thereafter the principal amount of such mortgage, any refinanced mortgage and/or additional mortgages combined do not exceed ninety-five percent (95%) of the then current Maximum Resale Price as the same is determined by the Housing Department at the time or times any such mortgage purports to encumber the Residential Unit; and

2. runs in favor of a “Qualified Mortgagee,” defined as:

   i. An “institutional lender” such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which institutional lender are subject to direct governmental supervision; or

   ii. A “community loan fund”, or similar non-profit lender to housing projects for income-eligible persons (e.g., is not given to or acquired by any individual person); or
iii. A non-affiliated, legitimate, “finance company.” In no event may such finance company be an individual or any company that is affiliated with or has any affiliation with Owner or any family member of Owner.

B. Any mortgage, lien or other encumbrance executed or recorded against a Residential Unit that is not a Qualified Mortgage shall:

1. be deemed unsecured; and

2. only be a personal obligation of an owner and shall not affect or burden, and shall not be enforceable against, such Residential Unit.

Additionally, the execution or recordation of such mortgage, lien or other encumbrance shall be deemed a default hereunder and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation the right of the Housing Department to purchase and to force a sale.

C. In the event an owner fails to make timely payment owed or otherwise breaches any of the covenants or agreements made in connection with any mortgage, lien or other encumbrance purporting to affect the Residential Unit, including without limitation a Qualified Mortgage, fails to timely make any other payment required in connection with the Residential Unit, including without limitation homeowner association dues and fees, assessments, payments to contractors, materialmen, or other vendors for work undertaken for which a lien could be filed against the Residential Unit, or declares bankruptcy, the Housing Department shall have (in addition to the any other remedies) the right to:

1. Cure such default and assume the payments and other obligations of Owner. In such event, Owner shall be in default of these Special Restrictions, and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation its option to purchase and its right to force a sale. In addition to such remedies, Owner shall also be liable to the Housing Department for any amounts advanced.

2. Acquire the loan from the lender by paying the balance due together with reasonable accrued interest and costs, and the Housing Department shall thereafter have the right to foreclose upon the Residential Unit in accordance with the mortgage and other loan documents or take such other action as the Housing Department shall determine.

3. Purchase the Residential Unit at any foreclosure sale, and in such event, notwithstanding anything to the contrary herein, the Residential Unit shall remain subject to these Special Restrictions.

ANY LENDER BY ENTERING INTO A LOAN TRANSACTION WITH AN OWNER OF A RESIDENTIAL UNIT HEREBY CONSENTS TO THE FOREGOING.
SECTION 11. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. Termination by insert the Town of Jackson or Teton County, Wyoming. These Special Restrictions may be terminated after a determination by insert the Town of Jackson or Teton County, Wyoming that these Special Restrictions are no longer consistent with the Town’s goals for affordable housing.

B. Termination Resulting from Foreclosure by a Qualified Mortgagee. These Special Restrictions as applied to a Residential Unit may be terminated by a Qualified Mortgagee in the event of a lawful foreclosure of the Residential Unit by such Qualified Mortgagee, as follows:

1. The Qualified Mortgagee provided to the Housing Department copies of all notices of intent to foreclose and all other notices related to the foreclosure contemporaneously with its service of such notices upon an owner.

2. The Housing Department did not exercise its rights as provided in Section 10, Qualified Mortgage.

3. Termination may occur only after expiration of all applicable redemption periods and subsequent recordation of a Sheriff’s Deed (or other transfer document as approved by the Housing Department in its sole and absolute discretion) conveying title to a purchaser, who is not (i) Owner, (ii) a member of the Qualified Household, (iii) a person affiliated with or related to Owner or any member of the Qualified Household, or (iv) the Housing Department.

4. In the event of a foreclosure hereunder, the Qualified Mortgagee shall pay to the Housing Department all proceeds remaining, if any, after payment of the Qualified Mortgage loan amount, interest, penalties and fees, which proceeds would have been payable to Owner of the foreclosed Residential Unit.

5. Notwithstanding the notice requirements to the Housing Department in this Section, if a Qualified Mortgagee has failed to provide the Housing Department copies of all notices of intent to foreclose and all notices related to the foreclosure contemporaneously with its service on an owner, such Qualified Mortgagee, prior to foreclosing on the Residential Unit, shall provide the Housing Department with notice of its intent to foreclose (“Mortgagee Notice to the Housing Department”). The Mortgagee Notice to the Housing Department shall include all information relevant to Owner’s default and the actions necessary to cure such default. The Housing Department shall have forty-five (45) days from the date of the Mortgagee Notice to the Housing Department to exercise its rights under Section 10, Qualified Mortgage. If the Housing Department fails to exercise its rights within such 45-day period, the Qualified Mortgagee may foreclose on the Residential Unit as provided herein.
Nothing herein shall limit or restrict an owner’s right of statutory redemption, in which event, if an owner redeems, these Special Restrictions shall remain in full force and effect.

C. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and recorded in the Teton County Clerk’s Office against the title to the Land, in whole or in part, with the written consent of Owner of the Residential Unit Complex and insert the Town of Jackson or Teton County, Wyoming.

D. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener’s errors, erroneous legal descriptions or typographical errors.

SECTION 12. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department and insert the Town of Jackson or Teton County.

SECTION 13. NOTICES. All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

To Housing Department
Jackson/Teton County Affordable Housing Department
P.O. Box 714
Jackson, WY 83001

With a Copy to:
insert the Town of Jackson or Teton County.
insert the Town of Jackson or Teton County.
Jackson, WY 83001.

To Owner
____________________________________
____________________________________
____________________________________

SECTION 14. ATTORNEY’S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the
prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney’s fees and costs of litigation.

SECTION 15. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 16. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 17. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 18. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 19. INDEMNIFICATION. Owner shall indemnify, defend, and hold the Housing Department and insert the Town of Jackson or Teton County, Wyoming, and each entity’s directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys’ fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for Owner’s breach of any provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County, Wyoming.

SECTION 20. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 21. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, Wyoming nor the Housing Department waives governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.
IN WITNESS WHEREOF, the undersigned have executed this instrument as of the Effective Date.

Insert declarant’s organization (corporation):

____________________________________

Insert name of signor, insert title of signor

STATE OF WYOMING )
 ) ss.
COUNTY OF TETON )

On the _________ day of _____________, 20__, the foregoing instrument was acknowledged before me by insert name of signor, as insert title of signor, of insert declarant’s organization.

Witness my hand and official seal.

(Seal)

__________________________________________
Notary Public
My commission expires:

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Click here to enter name of Mayor or Chair, insert Mayor or Chair

STATE OF WYOMING )
 ) ss.
COUNTY OF TETON )

On the _________ day of _____________, 20__, the foregoing instrument was acknowledged before me by Click here to enter name of Mayor or Chair as insert Mayor or Chair, of insert the Town of Jackson or Teton County Board of County Commissioners, Wyoming.

Witness my hand and official seal.

(Seal)

__________________________________________
Notary Public
My commission expires:
Approved as to form:

**JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:**

Insert name of Housing Manager, Housing Manager
STATE OF WYOMING )
COUNTY OF TETON ) ss.

On the Click here to enter day. day of Click here to enter month., 20Click here to enter year, the foregoing Special Restrictions for Affordable Housing was acknowledged before me by insert name of Housing Manager as Housing Manager.

Witness my hand and official seal.

(Seal)

Notary Public

**AFFIRMED**

**INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS:**

Click here to enter name of Mayor or Chair., insert Mayor or Chair

**ATTEST**

Click here to enter name of Clerk, insert Town Clerk or County Clerk
COMPLETE AMENDMENT AND RESTATEMENT
Special Restrictions
For Workforce Ownership Housing
Located at
Insert property address insert Town of Jackson or Teton County

This Complete Amendment and Restatement of the insert name of Special Restriction recorded in the Office of the Teton County Clerk as document number enter doc number book of photo insert book number pages insert page numbers for insert property address is made this ______
Day of ______, 20____ (the “Effective Date”), by insert name appropriate party from previous restriction and the undersigned owner (“Owner”)

RECITALS:

WHEREAS, the undersigned Owner holds fee ownership interest in that certain real property known as insert property address. located in Teton County, Wyoming, and more specifically described as follows:

Insert legal description

PIDN: insert property identification number (the “Land”);

WHEREAS, as a condition of its insert approval type (FDP, CUP etc.) (insert approval number), dated ____________, 20__ for the _________________ to insert the Town of Jackson or Teton County (the "______ Approval"), Owner was required to dedicate _________________ (insert appropriate term, e.g. units, number of bedrooms, square footage, etc.) as ____________(insert appropriate term, e.g. employee housing, attainable, etc.) to be owned or rented by households who work in Teton County and will occupy the units as their sole primary residences (the “Residential Units”);

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of the insert approval type. FDP, CUP, or other Approval, Owner was required to restrict the initial and all subsequent sales and transfers of each Residential Unit, defined above, to a “Qualified Household,”;

WHEREAS, consistent with the foregoing, the Land is subject to those certain insert name of Special Restrictions recorded insert date recorded as Document number insert doc number in book of photo insert book number pages insert page numbers (the “insert year recorded Special Restrictions”);

WHEREAS, in accordance with Section insert section number of the insert year recorded Special Restrictions, the Special Restrictions may be modified with the written consent of insert who may consent ;
WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners voted to amend their 1990 Resolution creating the Teton County Housing Authority (“TCHA”) and further amend the 1999 Resolution, to form a regional Housing Authority pursuant to Wyoming Statute §15-10-116(b) with the County of Teton and the Town of Jackson forming the regional housing authority known as the Jackson/Teton County Housing Authority (“JTCHA”), making the JTCHA the successor in interest to all deeds, documents, leases, and contracts of TCHA;

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department (“Housing Department”) who will be employees of Teton County and agents acting on behalf of the JTCHA;

WHEREAS, in accordance with such Section insert section of the insert year recorded Special Restrictions, and consistent with the foregoing Recitals, JTCHA and the undersigned Owner now desire to amend, restate and replace in their entirety with respect to the Residential Unit and Land the insert year recorded Special Restrictions by adopting these Complete Amended and Restated Insert name of this new restriction (“Special Restrictions”);

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, the Jackson/Teton County Affordable Housing Department (collectively “Housing Department”) and insert the Town of Jackson or Teton County, Wyoming;

RESTRICTIONS:

NOW THEREFORE, in satisfaction of the conditions in the Click here to enter approval type (FDP, CUP or other) Approval, and in further consideration of the foregoing Recitals, which are by this reference incorporated herein, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, that the Land and each Residential Unit shall be owned, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT RULES AND REGULATIONS. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures and guidelines are on file with the Housing Department or otherwise with insert the Town of Jackson or Teton County, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.
SECTION 2. OWNERSHIP BY QUALIFIED HOUSEHOLD.

A. **Qualified Household.** The ownership, use and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Workforce Housing, as set forth below (“Qualified Household”).

1. **Employment Requirement.** At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business. A “local business” means a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and the business serves clients or customers who are physically located in Teton County, Wyoming.

2. **Income Requirement:** The entire Qualified Household must earn at least seventy-five percent (75%) of the Household’s income from a local business, as defined above.

3. **No Teton County Residential Real Estate.** No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.

4. **Determination by the Housing Department.** The Housing Department shall determine whether a prospective occupant is a Qualified Household. In addition to any requirements set forth in the Rules and Regulations, such determinations shall be based upon written applications, representations, information and verification as are deemed by the Housing Department to be necessary to establish and substantiate eligibility.

5. **Continuing Obligation to Remain a Qualified Household.** Households residing in the Residential Unit shall satisfy the definition of a Qualified Household at all times during occupancy of the Residential Unit.

B. **No Legal Action.** No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against insert the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with insert the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall insert the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. **Ownership by Housing Department.** Notwithstanding the foregoing, the Housing Department may purchase and own the Residential Unit.
SECTION 3. RESTRICTIONS ON OCCUPANCY, IMPROVEMENT AND USE OF RESIDENTIAL UNIT. In addition to any restrictions included in the Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:

A. **Occupancy.**
   a. **Occupancy by Owner.** The Residential Unit may only be occupied by a Qualified Household, shall be such Qualified Household’s sole and exclusive primary residence, and each Qualified Household occupying the Residential Unit shall physically reside therein on a full-time basis, at least ten (10) months out of each calendar year. Except for permitted guests, no person other than those comprising the Qualified Household may occupy the Unit, provided that such requirement does not violate federal or state fair housing laws.
   b. **Occupancy by Tenant.** The Residential Unit occupied by a tenant shall be the Qualified Household’s sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a full-time basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit. Only members of the Qualified Household may occupy a Residential Unit.

B. **Business Activity.** No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

C. **Guests.** No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of thirty (30) cumulative days per calendar year.

D. **Renting.** Owners may rent the Residential Unit to a Qualified Household after verification and qualification of eligibility by the Housing Department.

E. **Rental Term.** The Residential Unit shall be offered for rent in periods of not less than thirty-one (31) days.

F. **Vacancies.** The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.

G. **Maintenance.** The owner shall take good care of the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner’s association and shall make all repairs and maintain the Residential Unit in a safe, sound, habitable, and good condition and state of repair. In case of damage to the Residential Unit, the owner shall repair the damage or replace or restore any destroyed parts of the Residential Unit, as speedily as practical.
H. **Capital Improvements.** The Owner may only undertake capital improvements to the Residential Unit in accordance with the policies set forth in the Rules and Regulations, which policies may include but are not limited to, a limitation on the valuation of such improvements at resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.

I. **Insurance.** The Owner shall keep the Residential Unit continuously insured against “all risks” of physical loss (not otherwise covered by a homeowner’s association insurance), for the full replacement value of the Residential Unit.

J. **Compliance with Laws, Declaration.** The Residential Unit shall be occupied in full compliance with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner’s association, as the same may be adopted from time to time.

K. **Periodic Reporting, Inspection.** In order to confirm compliance with these Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential Unit, Owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to Owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

SECTION 4. **TRANSFER LIMITATIONS.** Each Residential Unit may only be sold in accordance with Sections 5, 6 and 7 below or transferred in accordance herewith as follows:

A. **Divorce.** In the event of the divorce of an owner, the Housing Department may consent to the transfer of the Residential Unit to the spouse of such owner, which spouse may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

B. **Death.** In the event of the death of an owner, the Housing Department may consent to the transfer of the Residential Unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

C. **Nonqualified Transferee.** If title to the Residential Unit vests in a Nonqualified Transferee, as defined in the Rules and Regulations, the Residential Unit shall immediately be listed for sale in accordance with these Special Restrictions and the Rules and Regulations, or in the alternative, the Housing Department may exercise its option herein to purchase the Residential Unit. The following shall apply when the Housing Department determines there is a Nonqualified Transferee:
1. The Housing Department shall provide the Nonqualified Transferee a reasonable period within which to qualify as a Qualified Household.

2. If the Nonqualified Transferee does not qualify as a Qualified Household within such reasonable period, he or she shall cooperate with the Housing Department to effect the sale, conveyance or transfer of the Residential Unit to a Qualified Household and shall execute any and all documents necessary to such sale, conveyance or transfer.

3. A Nonqualified Transferee shall comply with these Special Restrictions, the Rules and Regulations, the Declaration, zoning and all Laws governing the ownership, occupancy, use, development or transfer of the Residential Unit, and further may only occupy the Residential Unit with the prior written consent of the Housing Department

SECTION 5. INITIAL SALE OF THE RESIDENTIAL UNIT. At initial sale, the Residential Unit may only be sold to a Qualified Household at a purchase price as Owner and prospective buyer may determine. After Owner and a prospective buyer enter into a purchase agreement for the purchase and sale of the Unit and at least thirty (30) days prior to purported closing of the purchase and sale, the prospective buyer shall provide such information as may be required by the Housing Department for it to determine if the prospective buyer is a Qualified Household. If the prospective buyer does not qualify as a Qualified Household, such buyer may not purchase the Unit. At all subsequent sales, the Housing Department will conduct a Weighted Drawing to identify a buyer.

SECTION 6. RESALE OF RESIDENTIAL UNIT. Owner desiring to sell a Residential Unit shall give written notice to the Housing Department of such desire (the “Notice to Sell”), and after receipt of such notice, the Housing Department shall determine the “Maximum Resale Price,” as provided herein and in accordance with the Rules and Regulations. Upon the Housing Department’s determination of the Maximum Resale Price, the sale of the Residential Unit shall be facilitated by the Housing Department and shall be completed in accordance with the procedure set forth in the Rules and Regulations, which procedure may include, without limitation: a fee (not to exceed two percent (2%)) of the Maximum Resale Price paid to the Housing Department for such facilitation; requirements regarding listing the Residential Unit with the Housing Department and/or a licensed real estate agent, as the Housing Department may direct; standard terms for the sales contract; and procedure for the selection of the purchaser (which selection procedure may include a weighted drawing process). Each purchaser of a Residential Unit shall execute a Buyer’s Acknowledgment of Special Restrictions and Option, on a form to be provided by the Housing Department. Notwithstanding the foregoing, upon receipt of notice from an owner of such owner’s desire to sell a Residential Unit, the Housing Department may purchase such Residential Unit. So long as such owner is not otherwise in default as defined herein, the purchase price in such case shall be the Maximum Resale Price as calculated below and subject to adjustment as provided herein. If an owner is in default, other provisions of these Special Restrictions may apply in determining the purchase price.
SECTION 7. MAXIMUM RESALE PRICE. To further insert the Town of Jackson or Teton County, Wyoming’s goal of providing affordable housing, after the initial sale, a Residential Unit may not be sold for a purchase price in excess of the “Maximum Resale Price.” The Maximum Resale Price is the current owner’s purchase price plus an increase in price of the Denver-Boulder-Greeley CPI (if such ceases to exist then a comparable CPI Index as determined in the sole discretion of the Housing Department) or three percent (3%), whichever is lower, per year of ownership compounded annually, plus the depreciated cost of pre-approved or government-required capital improvements, plus any other costs allowed by the Housing Department, less any required maintenance and/or repair adjustment, all as more fully described in the Rules and Regulations. Notwithstanding the determination of the Maximum Resale Price, the actual sales proceeds delivered to a selling owner may be reduced to account for restoration or repair of a Residential Unit (including without limitation, replacement of carpets, painting, roof repair, siding maintenance/replacement, etc.) determined necessary in the Housing Department’s sole and absolute discretion. Finally, to ensure that the sales price of any Residential Unit is limited to the Maximum Resale Price, no purchaser of a Residential Unit shall assume any obligation of a selling owner, nor shall such purchaser pay or provide to a selling owner any other form of consideration in connection with the sale of the Residential Unit. The calculation of the Maximum Resale Price, as made by the Housing Department, shall be final and binding on all parties.

NOTHING HEREIN SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR GUARANTY THAT UPON THE RESALE OF A RESIDENTIAL UNIT, OWNER SHALL OBTAIN THE ENTIRE MAXIMUM RESALE PRICE.

SECTION 8. DEFAULT. Each of the following shall be considered a default (“Default”):

A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.

B. Vacancy of a Residential Unit for more than sixty (60) days continuously.

C. Failure to pay or default of any other obligations due or to be performed with respect to a Residential Unit which failure to pay or default could result in a lien against a Residential Unit, including without limitation, homeowner dues, property taxes, payment required by a promissory note or mortgage purporting to affect a Residential Unit. Owner shall notify the Housing Department in writing of any notification received from any lender or third party of past due payments or default in payment or other obligations due or to be performed within five (5) calendar days of Owner’s notification.

D. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially declared bankrupt or insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee in involuntary bankruptcy or other similar officer is appointed to take charge of any substantial part of the Residential Unit or Owner’s property by a court of competent jurisdiction, or if a petition is filed for the reorganization of Owner under any provisions of the Bankruptcy Act now or hereafter enacted, or if Owner files a petition for such reorganization, or for arrangements under any provision of the Bankruptcy Act now or hereafter enacted and providing a plan for a debtor to settle, satisfy or extend the time for payment of debts.
E. Fraud or misrepresentation by purchaser, Owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a Designee of the Housing Department, shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department’s decision, Owner shall proceed in accordance with the Rules and Regulations.

SECTION 9. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, the Housing Department’s remedies shall include, without limitation, the following:

A. Purchase Option.

1. The Housing Department shall have the option to purchase the Residential Unit for a purchase price equal to the Maximum Resale Price, or the appraised value whichever is less, subject to the Housing Department’s ability to limit appreciation as provided in this Section ("Option") and further subject to the Housing Department’s ability to reduce proceeds as provided above.

2. If the Housing Department desires to exercise its Option, the Housing Department shall provide written notice to Owner of such election. Such notice shall include the purchase price and the timing for the closing of the purchase. The Housing Department shall use reasonable efforts to close the purchase within ninety (90) days of such notice.

B. Forced Sale. The Housing Department may require Owner to sell the Residential Unit in accordance with the resale procedures set forth in these Special Restrictions and the Rules and Regulations.

C. Whether the Housing Department elects to exercise its Option or to force a sale in accordance herewith, all proceeds, unless otherwise required by statute, will be applied in the following order:

FIRST, to the payment of any unpaid taxes;

SECOND, to the payment of any Qualified Mortgage;

THIRD, to assessments, claims and liens on the Residential Unit (not including any mortgage or lien purportedly affecting the Residential Unit which is not a Qualified Mortgage);

FOURTH, to the payment of the closing costs and fees;

FIFTH, to the two percent (2%) facilitation fee to the Housing Department;
SIXTH, to the payment of any penalties assessed against Owner by the Housing Department;

SEVENTH, to the repayment to the Housing Department of any monies advanced by it in connection with a mortgage or other debt with respect to a Residential Unit, or any other payment made Owner’s behalf;

EIGHTH, to any repairs needed for the Residential Unit; and

NINTH, any remaining proceeds shall be paid to Owner.

If there are insufficient proceeds to satisfy the foregoing, Owner shall remain personally liable for such deficiency.

D. Appointment of Housing Department as Owner’s Attorney-in-Fact. In the event the Housing Department exercises its Option or requires the Forced Sale, Owner hereby irrevocably appoints the then-serving Housing Manager as such Owner’s attorney-in-fact to effect any such purchase or sale on Owner’s behalf (including without limitation the right to cause an inspection of the Residential Unit and make such repairs to the Residential Unit as the Housing Department may reasonably deem necessary), and to execute any and all deeds of conveyance or other instruments necessary to fully effect such purchase or sale and conveyance.

E. Limitation on Appreciation at Resale. The Housing Department may fix the Maximum Resale Price of a defaulting owner’s Residential Unit to the Maximum Resale Price for the Residential Unit as of the date of an owner’s Default (or as of such date after the Default as the Housing Department may determine), and in such event, the Maximum Resale Price shall cease thereafter to increase.

F. Equitable Relief. The Housing Department shall have the right of specific performance of these Special Restrictions and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance. Any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or under the laws of the State of Wyoming.

SECTION 10. QUALIFIED MORTGAGE.

A. Only a mortgage which is a “Qualified Mortgage” shall be permitted to encumber a Residential Unit. A “Qualified Mortgage” is a mortgage that:

1. the principal amount of such mortgage at purchase does not exceed ninety-six and one half percent (96.5%) of the purchase price, and thereafter the principal amount of such mortgage, any refinanced mortgage and/or additional mortgages combined do not exceed ninety-five percent (95%) of the then current Maximum
Resale Price as the same is determined by the Housing Department at the time or times any such mortgage purports to encumber the Residential Unit; and

2. runs in favor of a “Qualified Mortgagee,” defined as:

i. An “institutional lender” such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which institutional lender are subject to direct governmental supervision; or

ii. A “community loan fund”, or similar non-profit lender to housing projects for income-eligible persons (e.g., is not given to or acquired by any individual person); or

iii. A non-affiliated, legitimate, “finance company.” In no event may such finance company be an individual or any company that is affiliated with or has any affiliation with Owner or any family member of Owner.

B. Any mortgage, lien or other encumbrance executed or recorded against a Residential Unit that is not a Qualified Mortgage shall:

1. be deemed unsecured; and

2. only be a personal obligation of an owner and shall not affect or burden, and shall not be enforceable against, such Residential Unit.

Additionally, the execution or recordation of such mortgage, lien or other encumbrance shall be deemed a default hereunder and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation the right of the Housing Department to purchase and to force a sale.

C. In the event an owner fails to make timely payment owed or otherwise breaches any of the covenants or agreements made in connection with any mortgage, lien or other encumbrance purporting to affect the Residential Unit, including without limitation a Qualified Mortgage, fails to timely make any other payment required in connection with the Residential Unit, including without limitation homeowner association dues and fees, assessments, payments to contractors, materialmen, or other vendors for work undertaken for which a lien could be filed against the Residential Unit, or declares bankruptcy, the Housing Department shall have (in addition to the any other remedies) the right to:

1. Cure such default and assume the payments and other obligations of Owner. In such event, Owner shall be in default of these Special Restrictions, and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation its option to purchase and its right to force
a sale. In addition to such remedies, Owner shall also be liable to the Housing Department for any amounts advanced.

2. Acquire the loan from the lender by paying the balance due together with reasonable accrued interest and costs, and the Housing Department shall thereafter have the right to foreclose upon the Residential Unit in accordance with the mortgage and other loan documents or take such other action as the Housing Department shall determine.

3. Purchase the Residential Unit at any foreclosure sale, and in such event, notwithstanding anything to the contrary herein, the Residential Unit shall remain subject to these Special Restrictions.

ANY LENDER BY ENTERING INTO A LOAN TRANSACTION WITH AN OWNER OF A RESIDENTIAL UNIT HEREBY CONSENTS TO THE FOREGOING.

SECTION 11. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. **Termination by insert the Town of Jackson or Teton County, Wyoming.** These Special Restrictions may be terminated after a determination by insert the Town of Jackson or Teton County, Wyoming that these Special Restrictions are no longer consistent with the Town’s goals for affordable housing.

B. **Termination Resulting from Foreclosure by a Qualified Mortgagee.** These Special Restrictions as applied to a Residential Unit may be terminated by a Qualified Mortgagee in the event of a lawful foreclosure of the Residential Unit by such Qualified Mortgagee, as follows:

   1. The Qualified Mortgagee provided to the Housing Department copies of all notices of intent to foreclose and all other notices related to the foreclosure contemporaneously with its service of such notices upon an owner.

   2. The Housing Department did not exercise its rights as provided in Section 10, Qualified Mortgage.

   3. Termination may occur only after expiration of all applicable redemption periods and subsequent recordeation of a Sheriff’s Deed (or other transfer document as approved by the Housing Department in its sole and absolute discretion) conveying title to a purchaser, who is not (i) Owner, (ii) a member of the Qualified Household, (iii) a person affiliated with or related to Owner or any member of the Qualified Household, or (iv) the Housing Department.

   4. In the event of a foreclosure hereunder, the Qualified Mortgagee shall pay to the Housing Department all proceeds remaining, if any, after payment of the
Qualified Mortgage loan amount, interest, penalties and fees, which proceeds would have been payable to Owner of the foreclosed Residential Unit.

5. Notwithstanding the notice requirements to the Housing Department in this Section, if a Qualified Mortgagee has failed to provide the Housing Department copies of all notices of intent to foreclose and all notices related to the foreclosure contemporaneously with its service on an owner, such Qualified Mortgagee, prior to foreclosing on the Residential Unit, shall provide the Housing Department with notice of its intent to foreclose (“Mortgagee Notice to the Housing Department”). The Mortgagee Notice to the Housing Department shall include all information relevant to Owner’s default and the actions necessary to cure such default. The Housing Department shall have forty-five (45) days from the date of the Mortgagee Notice to the Housing Department to exercise its rights under Section 10, Qualified Mortgage. If the Housing Department fails to exercise its rights within such 45-day period, the Qualified Mortgagee may foreclose on the Residential Unit as provided herein.

Nothing herein shall limit or restrict an owner’s right of statutory redemption, in which event, if an owner redeems, these Special Restrictions shall remain in full force and effect.

C. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and recorded in the Teton County Clerk’s Office against the title to the Land, in whole or in part, with the written consent of Owner of the Residential Unit Complex and insert the Town of Jackson or Teton County, Wyoming.

D. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener’s errors, erroneous legal descriptions or typographical errors

SECTION 12. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department and insert the Town of Jackson or Teton County.

SECTION 13. NOTICES. All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

To Housing Department
Jackson/Teton County Affordable Housing Department
SECTION 14. ATTORNEY’S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney’s fees and costs of litigation.

SECTION 15. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 16. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 17. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 18. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 19. INDEMNIFICATION. Owner shall indemnify, defend, and hold the Housing Department and insert the Town of Jackson or Teton County, Wyoming, and each entity’s directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost
Special Restrictions

14 of 16
Restated Ownership Workforce Housing

(including reasonable attorneys’ fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for Owner’s breach of any provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County, Wyoming.

SECTION 20. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 21. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, Wyoming nor the Housing Department waives governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the Effective Date.

Insert declarant’s organization (corporation):

________________________

Insert name of signor, insert title of signor

STATE OF WYOMING )
COUNTY OF TETON ) ss.

On the _________ day of __________________, 20__, the foregoing instrument was acknowledged before me by insert name of signor, as insert title of signor, of insert declarant’s organization.

Witness my hand and official seal.

(Seal)

Notary Public
My commission expires:

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Click here to enter name of Mayor or Chair
STATE OF WYOMING )
COUNTY OF TETON ) ss.

On the ________ day of ____________________, 20__, the foregoing instrument was acknowledged before me by Click here to enter name of Mayor or Chair as insert Mayor or Chair, of insert the Town of Jackson or Teton County Board of County Commissioners, Wyoming.

Witness my hand and official seal.

(Seal)

Notary Public
My commission expires:

Approved as to form:

JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:

Insert name of Housing Manager, Housing Manager
STATE OF WYOMING )
COUNTY OF TETON ) ss.

On the Click here to enter day. day of Click here to enter month., 20Click here to enter year, the foregoing Special Restrictions for Affordable Housing was acknowledged before me by insert name of Housing Manager as Housing Manager.

Witness my hand and official seal.

(Seal)

Notary Public
AFFIRMED

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS:

_____________________________________________________________________________
Click here to enter name of Mayor or Chair., insert Mayor or Chair

ATTEST

_____________________________________________________________________________
Click here to enter name of Clerk, insert Town Clerk or County Clerk
Special Restrictions
for Workforce Rental Housing
Located at insert Town of Jackson or Teton County, Wyoming

These Special Restrictions for Workforce Rental Housing, ("Special Restrictions"), are made this ____ day of ________, 20____(the “Effective Date”), by the undersigned Owner ("Owner") and insert the Town of Jackson or Teton County, Wyoming.

RECITALS:

WHEREAS, Owner holds fee ownership interest in that certain real property, located in insert the Town of Jackson or Teton County, Wyoming, and more specifically described as follows:

Click here to add legal description of property.

PIDN: ______________________________ (“Land”)

WHEREAS, as a condition of its approval for permit #Click here to enter Permit #. (“_______ Approval”), Owner was required to provide and restrict as follows:

Owner developed property addressed as____________, ____________, Wyoming 830___ for a __________square foot retail/service/office/residential/etc. building. This development generated the obligation to provide Workforce Ownership Housing in accordance with _____ Approval. Owner is restricting:

• Unit _________, with _______ number of bedrooms.
• Unit _________, with _______ number of bedrooms.
• Unit _________, with _______ number of bedrooms.
(herenafter each is a “Residential Unit” and in the aggregate “Residential Unit Complex”).

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority ("JTCHA");

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department ("Housing Department") who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce this Special Restriction;

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of insert approval type (FDP, CUP, etc.) Approval, and consistent with the insert the Town of Jackson or Teton County’s goal of providing decent, safe and sanitary housing to qualified employees working in Teton County, Wyoming, that is affordable, Owner agrees to restrict the use and occupancy of the Residential Unit to a “Qualified Household,” which meets employment, income and asset ownership qualifications as set forth herein and as further defined in the Jackson/Teton County Housing Department Rules and Regulations;
WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by Housing Department and insert the Town of Jackson or Teton County, Wyoming.

RESTRICTIONS:

NOW THEREFORE, in satisfaction of the conditions in the __________ Approval, and in consideration of such __________ Approval and further consideration of the foregoing Recitals, which are by this reference incorporated herein, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Units, Residential Unit Complex and Land shall be owned, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT RULES AND REGULATIONS. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures, and guidelines are on file with the Housing Department or otherwise with insert the Town of Jackson or Teton County, Wyoming, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations.

SECTION 2. RESTRICTIONS ON OCCUPATION AND USE OF RESIDENTIAL UNIT. In addition to any restrictions included in the current Housing Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:

A. Qualified Household. The rental, use and occupancy of the Residential Units shall be limited to natural persons who meet the definition of a Qualified Household for Workforce Housing, as set forth below (“Qualified Household”).

1. Employment Requirement. At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a local business. A “local business” means a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and the business serves clients or customers who are physically located in Teton County, Wyoming.

2. Income Requirement. The entire Qualified Household must earn at least seventy-five percent (75%) of the Household’s income from a local business, as defined above.

3. No Teton County Residential Real Estate. No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company,
corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.

4. **Initial Determination by the Owner.** Owner shall require each prospective renter of a Residential Unit to provide information sufficient to show eligibility as a Qualified Household under the Workforce Housing Program pursuant to the requirements of this restriction and the Housing Rules and Regulations. The determination shall be based upon written applications, representations, information and verifications, including at a minimum, a W-2 for each adult renter or other IRS filing showing source of earnings, a signed and sworn statement regarding ownership of other real estate and a list of current employer(s), hours worked as well as contact information for each employer(s) and other such information reasonably requested by the Housing Department to verify and substantiate as a Qualified Household.

5. **Continuing Obligation to Remain a Qualified Household.** The occupants of the Residential Unit shall satisfy the definition of a Qualified Household at all times during the occupancy of the Residential Unit.

6. **Occupancy.** Each Residential Unit shall be occupied as the Qualified Household’s sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a fulltime basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit.

7. **Reporting Requirement – Housing Department Determination.** Owner shall, by January 31 of each year, provide to the Housing Department a summary of the eligibility verification information contained above for each occupant of a Residential Unit as set forth on the Housing Department Template that will be provided to Owner. Upon written request by the Housing Department for supporting documentation, Owner shall provide the same within fifteen (15) business days of receipt of such written request. Additionally, Owner shall, by January 31 of each year, provide the Housing Department with its most current lease form for Residential Units. Each Residential Unit Lease must state, and it is a material consideration of this restriction, that the Housing Department has the ultimate and final authority to determine eligibility of households renting Residential Units. If the Housing Department, upon review of supporting documentation determines that an occupant of a Residential Unit does not qualify as a Qualified Household, the Housing Department shall have the authority to require the Owner to terminate the lease between Owner and the occupant of a Residential Unit pursuant to Sections 4 & 5 below.

B. **No Legal Action.** No Owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against insert the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with insert the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall insert the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.

C. **Occupancy Requirement.** The Qualified Household must physically occupy the Residential Unit on a full-time basis for at least eighty percent (80%) of the Rental Term.
D. **Household Composition.** Only members of the Qualified Household may occupy a Residential Unit, except that Owner may restrict who may reside in a Residential Unit, provided that such owner-restriction does not violate Federal or state fair housing laws. Notwithstanding the foregoing, occupancy of the Residential Unit shall be in compliance with any and all building codes (or other relevant law, code, statute, ordinance or the like) regarding maximum occupancy standards or limitations.

E. **Written Lease Requirement.** Occupancy of the Residential Unit shall be pursuant to a written lease, the form of which may be approved by Housing Department as it may require. Owner of the Residential Unit shall obtain written verification of income, asset ownership, and employment in Teton County, Wyoming for each Qualified Household proposing to rent the Residential Unit prior to such Household’s occupancy, and upon each extension or renewal of any lease therefore.

F. **Rental Term.** The Residential Unit shall be offered for rent in periods of not less than six (6) months.

G. **Rental Rate:** Owner shall set the rent. There is no cap on rent or rent appreciation.

H. **Rental Unit:** Except as provided herein, the Residential Unit shall remain a rental unit for Qualified Households.

I. **Guests.** No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of ten percent (10%) of the Rental Term in cumulative days per calendar year.

J. **Vacancies.** The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.

K. **Business Activity.** No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

L. **Compliance with Laws, Declaration.** The Residential Unit shall be occupied in full compliance with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner’s association, as the same may be adopted from time to time.

M. **Insurance.** Owner shall keep the Residential Unit Complex continuously insured against physical loss for the full replacement value of the Residential Unit Complex.

N. **Maintenance.** Owner shall be responsible for the cost and expense to keep and maintain the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner’s association in a safe, decent and sanitary condition. In the event Owner fails to maintain the Residential Unit in a safe, decent and sanitary condition and such
condition continues for fourteen (14) days after notice from the Housing Department, the Housing Department shall have the right but not the obligation to enter the Residential Unit and repair such condition and Owner shall reimburse Housing Department for such reasonable repair costs. Payment to Housing Department from Owner shall be due upon receipt of invoice.

O. **Periodic Reporting, Inspection.** In order to confirm compliance with these Special Restrictions, each owner shall comply, and cause its tenants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

P. **Preference.** Owner may give first-priority to rent the Residential Unit to Qualified Households of which a member of the Household is an employee of Owner. In the event there are no persons directly employed by Owner to whom Owner desires to rent the Residential Unit, then Owner may rent to any Qualified Household.

**SECTION 3. SALE OF THE RESIDENTIAL UNIT COMPLEX.** The Residential Unit Complex may be bought and sold as Owner may determine except that all reporting and record-keeping required herein shall be continuous and any new owner shall obtain the required records from the prior owner. Within ten (10) days prior to the closing of the sale or other transfer of the Complex, Owner shall notify the Housing Department of the pending sale or transfer and, prior to closing, provide the Housing Department with contact information (including without limitation, mailing address, phone number and email) for the new owner.

**SECTION 4. DEFAULT.** Each of the following shall be considered a default (“Default”):

A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.

B. A violation of any term of these Special Restrictions or any laws affecting the Residential Unit.

C. Vacancy of a Residential Unit for more than sixty (60) days continuously.

D. Fraud or misrepresentation by Owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.

E. If the Residential Unit is taken by execution or by other process of law, or if Owner is judicially declared bankrupt or insolvent according to law, or if any assignment is made of the property of Owner for the benefit of creditors, or if a receiver, trustee in involuntary bankruptcy or other similar officer is appointed to take charge of any substantial part of the Residential Unit, Residential Unit Complex or Owner’s property by a court of competent jurisdiction, or if a petition is filed for the reorganization of Owner under any provisions of the Bankruptcy Act now or hereafter enacted, or if Owner files a petition for such reorganization, or for arrangements under any provision of the Bankruptcy Act now or hereafter enacted and providing a plan for a debtor to settle, satisfy or extend the time for payment of debts.
In the event the Housing Department believes there to be a Default, the Housing Manager, or a Designee of the Housing Department, shall send written notice to Owner of such violation, the required action to cure and the timing for such cure. If Owner disputes the Housing Department’s decision, Owner shall proceed in accordance with the Rules and Regulations.

SECTION 5. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, after notice and opportunity to cure as set forth in the preceding section, the Housing Department’s remedies shall include, without limitation, the following:

A. Specific Performance. The Housing Department shall have the right of specific performance of these Special Restrictions and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance.

B. Equitable Relief. In addition to subsection A, any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or any other action authorized under the laws of the State of Wyoming.

SECTION 6. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. Termination. These Special Restrictions may be terminated after a determination by the insert the Town of Jackson or Teton County, Wyoming that these Special Restrictions are no longer consistent with the insert the Town of Jackson or Teton County, Wyoming goals for affordable housing.

B. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and recorded in the Teton County Clerk’s Office against the title to the land, in whole or in part, with the written consent of Owner of the Residential Unit Complex and insert the Town of Jackson or Teton County, Wyoming.

C. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener’s errors, erroneous legal descriptions or typographical errors.

SECTION 7. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Residential Units, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Residential Units, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by the Housing Department and insert the Town of Jackson or Teton County, Wyoming. Where these Special Restrictions are silent, the Housing Rules and Regulations govern.

SECTION 8. NOTICES. All notices required to be served upon the parties to this Special Restriction shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving
To Housing Department  
Jackson/Teton County Affordable Housing Department  
P.O. Box 714  
Jackson, WY 83001

With a Copy to:  
insert the Town of Jackson or Teton County.  
insert the Town of Jackson or Teton County.  
Jackson, WY 83001.

To Owner  
____________________  
____________________  
____________________

SECTION 9. ATTORNEY’S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney’s fees and costs of litigation.

SECTION 10. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 11. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 12. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 13. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 14. INDEMNIFICATION. Owner shall indemnify, defend, and hold, the Housing Department and insert the Town of Jackson or Teton County, and its directors, officers, agents and employees harmless
against any and all loss, liability, claim, or cost (including reasonable attorneys’ fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for an owner’s breach of any provision of these Special Restrictions. Owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County.

SECTION 15. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 16. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, JTCHA, nor the Housing Department waive governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.
IN WITNESS WHEREOF, the undersigned have executed this instrument as of the Effective Date.

Owner:

________________________________________

________________________________________

________________________________________

STATE OF WYOMING    )  
COUNTY OF TETON     ) ss

On this __________ day of _______________________, 20___, before me, the undersigned Notary Public, personally appeared ______________________ for ______________________________, LLC, a Wyoming limited liability company, and known to me, or proven by satisfactory evidence, to be the __________ of the company that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the company, by authority of Statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that such person is authorized to execute said instrument on behalf of the limited liability company.

[SEAL]

________________________________________

Notary Public
TOWN OF JACKSON

_________________________
Pete Muldoon, Mayor

ATTEST: _______________________
By: Sandy Birdyshaw, Town Clerk

STATE OF WYOMING  )
COUNTY OF TETON   ) ss.

On the ___ day of _____, 20___, the foregoing instrument was acknowledged before me by Pete Muldoon as Mayor, of the Town of Jackson, Wyoming.

Witness my hand and official seal.

(Seal)

Notary Public
My commission expires:

STATE OF WYOMING  )
COUNTY OF TETON   ) ss.

On the ___ day of _____, 20___, the foregoing instrument was acknowledged before me by Sandy Birdyshaw as Town Clerk, of the Town of Jackson, Wyoming.

Witness my hand and official seal.

(Seal)

Notary Public
My commission expires:

Approved as to form:

JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:

Special Restrictions 10 of 12 Rental Workforce Housing
Insert name of Housing Manager, Housing Manager

STATE OF WYOMING )
          ) ss.
COUNTY OF TETON )

On the day __________ of __________________, 20__, the foregoing instrument was acknowledged before me by Insert name of Housing Manager, as Housing Manager of the Jackson/Teton County Affordable Housing Department.

Witness my hand and official seal.

(Seal)

Notary Public
My commission expires:
Joint Information Meeting - Staff Report

Meeting Date: October 1, 2018

Presenter: Steve Ashworth

Submitting Dept: Parks and Recreation

Subject: Parks and Recreation Strategic Plan, Adoption by Resolution

Statement / Purpose:
The purpose of the item is to adopt the 2018 Parks and Recreation Strategic plan by resolution. The goal of the adoption is to recognize and acknowledge the goals and priorities for facilities, programs and services by the department. The strategic plan is a guiding document meant to aid in the decision making process.

Background / Description (Pros & Cons):
The Department contracted with GreenPlay, LLC to develop the plan. GreenPlay, LLC was founded in 1999 as a consortium of experts to provide management and consulting services for park, recreation, open space, and related quality of life agencies. GreenPlay, LLC has successfully completed over 400 strategic planning projects throughout the country.

The planning process began in May of 2017 with extensive community engagement and statistical analysis. Over the course of the last year, GreenPlay and staff have worked together to better understand the overall community’s recreational, park and open space needs, and how best to serve and meet these needs. The strategic plan has utilized the Teton County/Jackson Comprehensive Plan as its foundation, and incorporated the guiding principles of the Integrated Transportation and Community Housing Plans.

The goal of the plan was to develop a vision and strategy to address the community’s parks and recreation needs in the most effective manner. The plan identifies opportunities and challenges that the department faces, and provides recommendations of capital, programming and operational priorities for the next ten years.

Stakeholder Analysis & Involvement:
The Department director, staff, and the Advisory Board led the project team in preparing the Parks and Recreation Strategic Plan, a document available to the public. The intent of this plan is to support the policies within the Jackson/Teton County Comprehensive Plan and it requires approval by the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council. The Parks and Recreation Strategic Plan becomes an element of the current Teton County/Jackson Comprehensive General Plan after approval of the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council.

A collaborative effort took place allowing for the incorporation of the consultants’ expertise with local and institutional knowledge provided by community members and Town/County project team members.
**Joint Information Meeting - Staff Report**

### Project Tasks and Timeline

<table>
<thead>
<tr>
<th>Task/Analysis</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Information Gathering</td>
<td>April – May</td>
</tr>
<tr>
<td>Stakeholder Interviews</td>
<td>April – May</td>
</tr>
<tr>
<td>Community Profile</td>
<td>May</td>
</tr>
<tr>
<td>Review of Existing Properties</td>
<td>May</td>
</tr>
<tr>
<td>Level of Service Analysis</td>
<td>May – July</td>
</tr>
<tr>
<td>Market Analysis</td>
<td>May</td>
</tr>
<tr>
<td>Evaluation of Existing Standards</td>
<td>June – July</td>
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<td>Facilities, Lands, and Asset Gaps</td>
<td>June – July</td>
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<td>Financial Model and Scenarios</td>
<td>July – August</td>
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<tr>
<td>Partners and Alternative Providers</td>
<td>July – August</td>
</tr>
<tr>
<td>Findings and Visioning Strategies</td>
<td>August (Findings)</td>
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<td>Action Plan</td>
<td>September (Visioning)</td>
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<tr>
<td>Recommendations/Action Plan</td>
<td>December</td>
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<tr>
<td>Draft Plan</td>
<td>February 2018</td>
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<tr>
<td>Final Plans and Presentation</td>
<td>April 2018-September 2018</td>
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### Other Documents Reviewed for this Plan

While the planning efforts listed above have the most direct impact and influence on this strategic planning effort, the team also reviewed other documents to evaluate and ensure the alignment and consistency of recommendations and action steps across the Department. Those plans include:

- Indicator reports
- Budgets
- Employee manuals
- Facility/site master plans
- Program guides
- Community surveys
- Current policies

### Demographics and Trends Analysis

Teton County and the Town of Jackson undoubtedly make up a unique community. Evidence observed while developing this plan, however, shows that this community is not immune to demographic and recreational trends that are sweeping the country. The desires of different age groups, community values, and popularity of a variety of recreational activities and amenities are all influential. Community demographics as well as regional and national trends are highlighted and used in the analysis of key issues and have been considered when determining priority and where to allocate resources toward the provision of parks, recreational facilities, and recreational services and programming for residents and visitors. The full demographic report is attached to this document as Appendix A.
Comparative Analysis
Benchmarking allows the comparison of certain attributes of the Department’s management of public spaces (parks, recreation, aquatics, and related services) with other similar communities. For this plan, benchmarking data was collected from: Aspen, CO; Golden, CO; Ketchum, ID; Rock Springs, WY; Campbell County, WY; Cody, WY; Steamboat Springs, CO; Park City, UT; Laramie, WY; Rexburg, ID; Big Sky Community Organization, MT; Logan, UT; Idaho Falls, ID; Glenwood Springs, CO. Comparison for certain aspects of parks and recreation operations are used throughout this document where appropriate. The full benchmarking report is attached to this document as Appendix B.

Community Engagement
The Department has earned a reputation for being receptive to feedback by continuously engaging the community through periodic surveys, planning processes, and day-to-day operations. This plan is driven in part by data received through engaging the public in multiple ways including:

- Community surveys
- Focus groups
- Public meetings
- Stakeholder interviews
- Council and Advisory Board work sessions

Information regarding survey efforts in 2005, 2012, and 2015 is provided in Appendix C. A summary of all public, stakeholder, and governing board and advisors input collected in 2017 is provided in Appendices D and E.

Fiscal Impact:
NA

Staff Impact:
NA

Legal Review:
Keith Gingery

Staff Input / Recommendation:
Staff supports the findings as presented in the Final Draft Strategic Plan, and recommend that the Jackson Town Council and Teton County Board of County Commissioners adopt by resolution.

Attachments:
Final Draft, Teton County/Jackson Parks and Recreation Dept. Strategic Plan Executive Summary (2018)
Strategic Plan Resolution

Suggested Motion:
Move to adopt by resolution the 2018 Teton County/Jackson Parks and Recreation Department Strategic Plan.
Parks and Recreation
Strategic Plan
DRAFT
April 2018
# Table of Contents

**EXECUTIVE SUMMARY** .......................................................................................................................... 1  
**INTRODUCTION** ......................................................................................................................................... 1  
**ABOUT THE COMMUNITY AND THE DEPARTMENT** ..................................................................... 1  
**ABOUT THE PROCESS** ............................................................................................................................ 2  
**KEY OPPORTUNITIES** ............................................................................................................................... 2  
**POLICIES AND PROCEDURES** ............................................................................................................... 5  
**OPERATIONAL AND ECONOMIC STABILITY** ................................................................................... 5  
**RECOMMENDATIONS AND ACTION PLAN** ....................................................................................... 7  
**CAPITAL PRIORITIES** ............................................................................................................................... 7  
**PROGRAMMING AND SERVICE PRIORITIES** .................................................................................. 11  
**POLICY AND PROCEDURE** ................................................................................................................... 13  
**FUNDING** ................................................................................................................................................ 14  
**OPERATIONS** .......................................................................................................................................... 15  

**PARKS AND RECREATION STRATEGIC PLAN** ............................................................................... 17  
**PURPOSE OF THIS PLAN** ....................................................................................................................... 17  
**CRITICAL SUCCESS FACTORS** .......................................................................................................... 17  
**STRATEGIC FRAMEWORK** .................................................................................................................. 17  
**TETON COUNTY/JACKSON AND THE DEPARTMENT** ...................................................................... 19  
**METHODOLOGY OF THIS PLANNING PROCESS** .............................................................................. 20  

**ANALYSIS/FINDINGS** ............................................................................................................................. 23  
**EXISTING AND FUTURE FACILITIES** ................................................................................................. 23  
**PROGRAMS AND SERVICES** ............................................................................................................... 48  
**POLICIES AND PROCEDURES** ............................................................................................................. 63  
**FUNDING** .............................................................................................................................................. 70  
**OPERATIONAL AND ECONOMIC STABILITY** .................................................................................. 82  

**ACTION PLAN** ....................................................................................................................................... 91  
**RECOMMENDATIONS AND IMPLEMENTATION TIMELINE** ............................................................. 91  
**CAPITAL PRIORITIES** ............................................................................................................................. 92  
**PROGRAMMING AND SERVICE PRIORITIES** .................................................................................. 95  
**POLICY AND PROCEDURE** ................................................................................................................... 97  
**FUNDING** .............................................................................................................................................. 98  
**OPERATIONS** ....................................................................................................................................... 99  

**APPENDIX A – TETON COUNTY DEMOGRAPHICS** ............................................................................ 101  
**APPENDIX B – REGIONAL BENCHMARKING DATA** ........................................................................ 113  
**APPENDIX C – COMMUNITY SURVEY** .............................................................................................. 127  
**APPENDIX D – PUBLIC ENGAGEMENT RESULTS** ........................................................................... 129  
**APPENDIX E – STAKEHOLDER ENGAGEMENT RESULTS** ............................................................... 137
APPENDIX F – PARKS, FACILITIES, AND OPEN SPACE INVENTORY AND MAPPING ..............139
APPENDIX G – TETON COUNTY SCHOOL DISTRICT AGREEMENT ...........................................153
APPENDIX H – JOINT POWERS AGREEMENT .........................................................................171
APPENDIX I – RELATED PLANNING DOCUMENTS ..................................................................181

Table of Tables
Table 1: Teton County - Jackson Park Site Features and Components ...........................................30
Table 2: Recreational Components within the Service Area .........................................................34
Table 3: Recreational Components amongst Benchmarked Communities .......................................35
Table 4: Recreational Components/1,000 ......................................................................................35
Table 5: 2005 and 2012 Survey comparison – Athletic fields .......................................................40
Table 6: Outdoor Sports Participation ...........................................................................................42
Table 7: Athletic Fields Provided in Comparison Communities ....................................................43
Table 8: Off-Leash Dog Parks in Comparison Communities .........................................................47
Table 9: Potential New Funding Strategies ..................................................................................73
Table 10: Benchmarking Fee Matrix for Similar and Regional Communities ...................................77
Table 11: Operational Satisfaction 2005 & 2012 – Percent Somewhat and Very Satisfied .............84
Table 12: Operational Satisfaction Issues – Percent of Respondents Who Indicated ......................85
Table 13: 2016 Teton County General Demographic Profile ..........................................................101
Table 14: 2016 Teton County General Demographic Profile ..........................................................103
Table 15: Teton County Housing Inventory ....................................................................................108
Table 16: Demographic Comparisons – Teton County, WY and Selected Neighboring Areas .........110
Table 17: Teton County Jackson Park Sites Inventoried .................................................................141
Table 18: Teton County - Jackson Park Site Features and Components ...........................................142

Table of Figures
Figure 1: Recreation Center Master Plan – 2018 ..........................................................................27
Figure 2: Total Acres of Parks .........................................................................................................32
Figure 3: Graphics from 2015 Citizen Survey Regarding Dog Parks .............................................45
Figure 4: 2005 and 2012 Community Survey – Quality of Programs Offered .................................49
Figure 5: 2015 Satisfaction with Programs and Registration ............................................................50
Figure 6: 2015 Most Important to Household’s Enjoyment of Programs.........................................50
Figure 7: Jackson/Teton County 2015 Community Survey Importance-Satisfaction Matrix .............51
Figure 8: 2015 Survey Results – Amenities to Receive the Most Attention in the Short-Term .........61
Figure 9: Concepts of Sustainability ...............................................................................................63
Figure 10: Survey Respondent Beliefs Regarding Balance of Tax and Fees for Certain Programs and Services ..........66
Figure 11: Annual Operational Expenditures .................................................................................71
Figure 12: Annual Capital Budget ................................................................................................71
Figure 13: Satisfaction Comparison with National Averages ..........................................................84
Figure 14: 2012-2015 Comparison of How Households Learn About Programs and Activities ......88
Figure 15: Teton County Population Growth Trend .......................................................................104
Figure 16: Population Age Distribution in Teton County, 2010 to 2021 ..........................................105
Figure 17: 2016 Estimated Population Breakdown by Age Cohort ...............................................105
Figure 18: Teton County Racial and Ethnic Character 2010 and 2016 .............................................106
Figure 19: County and State Population Racial and Ethnic Character Comparison 2016 ..............107
Figure 20: Educational Attainment of Adults (ages 25+) – Teton County and State of Wyoming ....107
Figure 21: Education and Earnings ...............................................................................................108
Figure 22: 2016 Median Household Income Comparison .............................................................109
Figure 23: Distribution of Median Household Income in Teton County (2016) ..................................110
Figure 24: Educational Attainment Comparison .........................................................................111
Figure 25: Race and Ethnic Character Comparison .....................................................................111
Figure 26: Teton/Jackson Parks and Recreation System and Alternative Providers ................................................................. 139
Figure 27: Distribution of Parks Within the Service Area ........................................................................................................ 143
Figure 28: District Classification ........................................................................................................................................... 145
Figure 29: Subarea Classification ........................................................................................................................................ 147
Figure 30: Town of Jackson Subarea Classification ................................................................................................................. 148
Figure 31: Town of Jackson Planning Subareas ......................................................................................................................... 149
Figure 32: Miles of Non-motorized Trails ................................................................................................................................. 150
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EXECUTIVE SUMMARY

Introduction

This Parks and Recreation Strategic Plan is a first for the Teton County/Town of Jackson. It is completed within the strategic framework of the County and the Town which:

- Provides the foundation for the well-being of county and town residents through responsive and efficient services necessary to support the residential, business, environmental, and historical interests that define the community
- Enhances the quality of life for those who live here, and the experience for those who visit, through facilities and programs that contribute to public health, safety, and welfare
- Appreciates the unique environmental resource and scenic beauty
- Acknowledges responsibilities to future generations

According to the 2012 Jackson/Teton County Comprehensive Plan, the common values of community character are ecosystem stewardship, growth management, and quality of life. This Plan creates a roadmap to ensuring an appropriate balance of facilities, amenities, and programs offered to the community now and into the future. It evaluates the current system in order to appropriately develop goals, policies, and guidelines, along with achievable strategies, and will be heavily used as a resource for development and redevelopment of the Department’s assets and services for the next 10 years.

About the Community and the Department

Teton County has approximately 23,000 residents, of which 10,000 are in the Town of Jackson. A significant number of the residents in Teton County are second home owners. Teton County/Jackson Parks and Recreation Department operates as a County agency under a Joint Powers Agreement between the Town and the County. Department funding is split between the County at 55 percent and the Town at 45 percent based upon the 2010 Census on residential population distribution.

The Department has 11 developed parks comprising 60 acres and four (4) undeveloped parks comprising 89 acres; a 36,000 square foot recreation center with a gymnasium, multi-purpose space, 8 lane lap pool, leisure pool, splash down pool/slide tower, and therapy pool; 50 miles of paved multimodal pathways; and management of approximately 1,000 acres of Snake River Recreation parcels owned by the Bureau of Land Management (BLM). Through a School District agreement, the Department has management and maintenance responsibilities of 11 athletic fields comprising 18 acres. Lastly, the Department has grounds maintenance responsibility for all town and county government facilities and town right-of-ways.
About the Process

The Department director, staff, and the Advisory Board led the project team in preparing the Plan, a document available to the public. The intent of this plan is to support the policies within the Jackson/Teton County Comprehensive Plan and it requires approval by the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council. The Plan becomes an element of the current Teton County/Jackson Comprehensive General Plan following approval of the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council.

The year-long plan development began in April of 2017 and included community and stakeholder engagement, an inventory and level of service analysis, demographics and trends analysis, identification of findings and key issues, visioning, and development of an action plan addressing recommendations for capital assets and operations, along with potential funding strategies. Final approval was granted in April of 2018.

Key Opportunities

The following key issues and opportunities were identified during the preparation of this plan. A detailed exploration exists in the main document.

EXISTING AND FUTURE FACILITIES

Indoor Facilities and Amenities
While recreational programs hosted by the Department take place in satellite/partner locations, the Teton County/Jackson Recreation Center hosts the majority of indoor programming. The community is highly satisfied with the current facility, yet the Recreation Center has experienced challenges in accommodating the needs of the community, creating user and scheduling conflicts. A feasibility study completed in 2012 has begun to be fulfilled through a SPET tax for renovations approved in 2017, but there is much more to be done.

Community/Neighborhood Parks
Community/Neighborhood parks are intended to serve the surrounding neighborhood. While well-maintained and functional, existing parks tend to suffer from a lack of individual identity. Gaps in the system, based on a ¼ mile walking distance criteria, seem to be on the east side of the community by May Park, Teton Village, and south of South Park toward the community of Hoback.

Special Event/Community Gathering Parks
The Department currently offers multiple special events throughout the system and supports numerous community events hosted by other organizations. Large maintenance impacts and traffic congestions often result. Considerations for these types of spaces include flexibility, walkability and transportation, hard surfaces, and Department resources.
Gateway Parks
Gateway parks should strengthen the sense of arrival into the community. North Park is an obvious gateway, as it sits at the northern extent of town adjacent to the Visitor Center. Though in the center of Jackson, Town Square functions as a gateway of sorts, as it is often one of the first outdoor places in town that tourists will visit. The future park in Teton Village will play the role of Gateway Park. Baux Park is a gateway in a different sense, as it is the gateway from town to the mountains and forest.

Beyond the Community and Neighborhood Parks
For the entire park system, the balance of conservation and development is paramount. Many of the BLM parcels are adjacent to the Snake River, in the floodplain, and further from populations. As such, they have habitat/conservation value and/or could be considered for land swaps to best serve the community.

Athletic Fields
The main athletic fields in the system are at the High School Recreation Complex. The Department also utilizes open green space and baseball/softball fields around the system to create temporary rectangular fields when necessary, a solution often utilized for practice times. This is not ideal and creates issues with scheduling, maintenance, and mixed-uses at parks. The School District is projecting growth, and indication of impact on the demand for services provided by the Department and the rate of use of athletic fields in the system. Reinventing how the high school complex is used and development of the Stilson property both provide opportunity to address this issue.

Dog Off-leash Areas
Local community groups have been trying to identify a suitable location for a dog park for some time, and statistics show that the need is obvious. Although commonly referred to as dog parks, these places have been shown to be social gathering places for dog guardians – a park for people with dogs. Location determination and sites for consideration are explored in this plan.

PROGRAMS AND SERVICES

Recreation Programming
The Department provides instructional, skill-based, and social programs for adults, youth, active agers, and special events that contain a wide-variety of offerings, as well as drop-in/day-use opportunities. The public is complementary about the Department’s offerings and also offers useful information for improvements including more diversification of offerings such as health and wellness, nature education, and arts and culture (and a larger focus on adults and the aging population), while expressing concern about trying to offer too much with limited resources. Facility limitations are impacting the ability to offer a more robust program offering.

Adaptive Programming
The community identified people with disabilities as a user group with limited opportunities provided by the Department. Inclusion services will assist in identifying reasonable and appropriate accommodations for people with disabilities.
Outdoor Recreation Programming
Even though the Jackson/Teton County community is surrounded by outdoor recreation opportunities, there are some in the community that cannot access them, because they are within National Parks and Forest, accessible only by car, or require specialized equipment to access. To provide accessible opportunities to outdoor recreation within its system, the Department should look to provide “front country” opportunities where appropriate to bring a taste of the back country.

After-School Programming
The Department has existing partnerships with the school district and seems to be the “go to” service provider within the community for after school programs and services for children, providing expansive programming for children through grade eight as well as summer time programming. The Department needs to consider the need for after-school programming in the planning of expansion of the recreation center.

River Recreation Management and Programming
The Department has taken over river access points in recent years currently has a River Management Plan in place. Since the operation of these sites is relatively new, it is expected that there will be operational challenges. Understanding the role the BLM tracts will play in the future of the system is also important, as many of these parcels are adjacent to the Snake River.

Nordic Trail Grooming
The Department does a great job in responding to operational and maintenance issues on the large network of Nordic trails, but often receives complaints of user conflict and complaints regarding the amount and scheduling of groomed trails. This pulls the Department in multiple directions.

Collaboration and Partnerships
Many in the community expressed concern that the size of the service profile of the Department limited its ability to deliver its core services. Well designed and documented collaboration and partnerships are service delivery possibilities to be explored under the right circumstances.
POLICIES AND PROCEDURES

Cost Recovery Philosophy and Policy, Fee Policy and Policies Regarding Access to Facilities and Services

All of these policies and procedures are related and must work together to be effective. In order to keep up with increasing expenses, experience across the country has shown that smaller periodic increases are much more tolerable than less frequent larger increases, and provisions are always made for assistance for those with economic need. With limited facilities, use policies are critical and must be adhered to for the benefit of all.

FUNDING

Department Budget

The Department experiences a funding deficit primarily in capital repair and replacement. It has been on a building and expansion boom over the past 15 years, and as a result, capital repair liability continues to grow. While it is able to maintain currently, most of the improvements are less than 20 years old, and in the next 10 years, significant funding will be required for upkeep. Over 50 miles of paved pathways have been constructed since 1998, and large capital overlay costs will begin on these facilities in the next 5-10 years.

The other funding deficit is through non-core service growth including such things as downtown restrooms, public right of ways, or other government buildings. Often the Department budget is evaluated as growing, but most is not driven by the Department or its users, but rather these other maintenance and support services.

Revenue Sources

Potential new funding sources are explored along with a look at user fees, park exaction and park impact fees, Specific Purpose Excise Tax (SPET), and Recreation District Tax. Expansion of sponsorships, partnerships and grants create additional opportunity for cost sharing, cost savings, and additional revenue.

OPERATIONAL AND ECONOMIC STABILITY

Core Services

Core services satisfy values and vision, typically benefiting all community members, or are seen as essential to the lives of under-served populations. It is not necessary that an individual participate in a specific recreational or cultural activity, or even step into a park setting to receive benefit. Having a nice park and trail system with trees, open space, and recreational amenities available in the community adds to home values and a quality living environment and provides opportunity for partaking in activity, as well as contributes to clean air and provides relief from urban density. To achieve these and other outcomes, an agency invests its tax dollars in these core services.

Parks and recreation services provide value to the community as a whole in terms of economic, environmental, and social benefits. Tax dollars support these “core services.”
Beyond those benefits realized by all residents, the agency is also able to provide specific activities and services that benefit individuals. There are not adequate tax dollars to completely support this level of activity, and it is appropriate and common to charge at least minimally for these services. The Department’s Cost Recovery Policy provides the framework by which all services are categorized and set up for cost recovery targets (some will be 0%). It is crucial that the Department not take on more than it can handle, and the ability to attract revenue to support activities actually makes them able to be offered.

In addition to mission-based responsibilities, the Department is charged with care of facilities outside of the park system (public facility grounds cemetery, restrooms, trees, etc.). Although these may not meet the core mission of the Department of Parks and Recreation, they may be core services of the County and/or the Town. As expenses to provide the acceptable level of service increase over time, tax support revenue has to keep pace.

**Level of Service Standards**

Satisfaction with the Parks and Recreation Department is very strong and exceeds national standards as measured from survey comparison with other communities. However, two operational issues float to the top of items needing more attention: the quality/condition of the Recreation Center at #1 of 21 items queried and quality/maintenance of pathways at #2. Overall, there is a sense that the Department is doing a great job with limited resources and increasing demands, but concern about the capacity to keep up with an increasing demand.

**Organizational Structure**

A combined County/Town Parks and Recreation Department is somewhat unique and comes with distinctive challenges, particularly related to level of service provision to both the urban and rural setting. It is otherwise organized in a traditional fashion with three functional management divisions including Recreation Programs, Recreation Center, and Parks. Full-time staff are supplemented with part-time staff. One of the biggest issues facing the Department is the impact of the housing crisis in Jackson that is also affecting other mountain resort towns.

Due to the size of the service profile of the Department, and the nature of a small community, staff are consistently pulled in many directions. All sources of input noted that while the Department meets a high standard, many were concerned that the organizational efficiency was not sustainable as the Department is asked to continue existing responsibilities, while taking on additional responsibilities.

**Marketing and Communication**

The Department should be commended for its marketing efforts to date. Even though many sources of input shared the sentiment that there are some gaps in communication, the Department is held with high regard in the community. Internally, marketing efforts are inconsistent and the Department should focus on consistent message, identity, and branding.
Recommendations and Action Plan

The following recommendations are drawn from the public input, inventory, level of service analysis, findings feedback, and all the information gathered during the strategic planning process with a primary focus on maintaining, sustaining, and improving parks, recreation, open space, and trails. All cost estimates are in 2017 figures where applicable. Most costs are dependent on the extent of the enhancements and improvements determined or known at this time.

Timeframe to complete is designated as:
- Short-Term/Immediate (up to 2 years)
- Mid-Term (2-5 years)
- Long-Term (5-10 years)

Capital Priorities

<table>
<thead>
<tr>
<th>TIER ONE (HIGH PRIORITY) – SHORT TERM/IMMEDIATE (UP TO 2 YEARS)</th>
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<tbody>
<tr>
<td>EXPAND RECREATION CENTER</td>
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<tr>
<td>Actions</td>
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<tr>
<td>Continue to improve Recreation Center in a phased approach</td>
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<tr>
<td>Modernize and refresh existing facilities</td>
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<tr>
<td>Increase overall capacity of the facility</td>
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<tr>
<td>Provide additional gymnasium space</td>
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<tr>
<td>Provide health and fitness multi-use space</td>
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<tr>
<td>Re-configure site circulation and parking-</td>
</tr>
<tr>
<td>King Street Extension</td>
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<tr>
<td>PARK SITE DEVELOPMENT</td>
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<tr>
<td>Actions</td>
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<tr>
<td>Athletic Fields Master Planning</td>
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<tr>
<td>• Develop Stilson Property to accommodate athletic fields:</td>
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<tr>
<td>▪ Consolidating adult and general purpose athletic fields</td>
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<tr>
<td>▪ Providing active agers park amenities</td>
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<tr>
<td>▪ Developing a gateway to transit, trails, and river recreation</td>
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<tr>
<td>• TCSD High School Fields Re-development</td>
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<tr>
<td>▪ Re-purpose adult softball fields to consolidate youth baseball fields at this site</td>
</tr>
<tr>
<td>▪ In collaboration with TCSD, increase capacity for youth multi-purpose fields at this site</td>
</tr>
<tr>
<td>▪ Evaluate lawn in front of High School</td>
</tr>
<tr>
<td>▪ Evaluate un-developed land east of Tennis Courts</td>
</tr>
<tr>
<td>▪ Consider land acquisition to increase youth multi-purpose athletic field capacity</td>
</tr>
<tr>
<td>Develop Off-leash dog park opportunities in east and west Jackson:</td>
</tr>
<tr>
<td>• Sites to consider are Phil Baux, the Fairgrounds, Wayne May, Mike Yokel.</td>
</tr>
<tr>
<td>• Develop partnerships with local interest groups to co-develop sites</td>
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<tr>
<td>Develop Accessibility Master Plan to serve as ADA transition Plan addressing:</td>
</tr>
<tr>
<td>▪ Park amenities</td>
</tr>
<tr>
<td>▪ Facility Parking</td>
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<tr>
<td>Tennis Court re-evaluation</td>
</tr>
<tr>
<td>▪ Consider temporary or permanent conversion to pickleball</td>
</tr>
</tbody>
</table>

Stilson Site development estimated cost - $3-4 million (Cost estimates based on proposed master plan)

High School site re-development
Estimated cost - tbd

Staff planning and development

Budget sheet can be found in Appendix I

Site development estimated cost - $75,000 to $500,000 (Cost estimates based on regional comparison and dependent on amenities. Budget sheet can be found in Appendix I)

Site and project dependent. Establish annual budget allotment
**TIER TWO (MEDIUM PRIORITY) – (2-5 YEARS)**

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
</tr>
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</table>
| Re-develop Phil Baux Park to become a gateway connections park:  
  - Creating connections to the National Forest trail system  
  - Developing a special event space to accommodate outdoor concerts/amphitheater  
  - Incorporating outdoor alternative sports/opportunities:  
    - Climbing  
    - Skateboarding  
    - Broomball  
    - Inline skating  
    - Nature play areas | Site development estimated cost - $400,000 to $550,000  
  (Cost estimates based on regional comparison and dependent on amenities.  
  Budget sheet can be found in **Appendix I** |
| Complete Wayne May Park Development | Staff planning and development |
| Complete Karns Meadow Park Master Plan to include:  
  - Passive/Natural Park  
  - Habitat and Resource Education  
  - Public Access to Flat Creek  
  - Interior soft Pedestrian Trails | Dependent on amenities.  
  Estimates/amenity include:  
  Playgound - $100-250k  
  Natural Play Area - $40 – 150k  
  Signage - $500/each  
  Benches – $1,500/each |
| Develop South Park Landing (west) base, prioritizing  
  - Parking  
  - Vehicle circulation  
  - River bank restoration | |
| BLM Parcel 9/10 Park Base Development  
  - Determine appropriate site plans for each BLM parcel.  
  - Evaluate the potential role of BLM parcels in the Parks system and conduct land-use planning studies on parcels to be acquired.  
  It is important to note that determining an appropriate use does not imply development. | |
| Collaborate with Community Pathways to ensure continued development and connectivity of trails and pathways to parks and recreation facilities | Dependent on project. |
| Balance conservation and development, focusing on developing the Town Core while | |

---

**Parks and Recreation Strategic Plan**
providing gateways and passive opportunities throughout the system.

Partner with ______________ to develop public art in parks policy and procedure. Selection and approval criteria should be developed through the Advisory Board.

Develop more unstructured or natural play areas – Rangeview Park and May Park hold potential for a pilot of this type of play area.

### TIER THREE (LOW PRIORITY) – LONG TERM (5-10 YEARS)

#### PARK SITE DEVELOPMENT

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
</tr>
</thead>
</table>
| Develop Teton Village Park including:  
  - 3+ acre “community/neighborhood” type park. Site should include:  
    - Playground  
    - Shelter  
    - Non-programmed play areas  
    - Multi-purpose turf athletic fields | Staff planning and development | Dependent on amenities Estimates/amenity include:  
  Playground – $100-250k  
  Natural Play Area – $40-150k  
  Signage – $500/each  
  Benches – $1,500/each  
  Sport Court – $50-70k  
  Ball diamond/Rectangular field – $125-500,000 |
| Pursue land acquisition for Hog Island/Hoback Neighborhood Park through the exaction process. Park area should be classified as a “community/neighborhood” type park. Site should include:  
  - Playground  
  - Shelter  
  - Non-programmed play areas | | |
| Area should also be considered for joint development with the school district of multi-use athletic field. | | |
| Determine feasibility for water play features at parks (ex. splash pad) – There are several sites in the system where this type of amenity might be appropriate. Of chief concern should be transportation and proximity to other children-related facilities and activities. | | |
# Programming and Service Priorities

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
</table>
| **Develop Health and Wellness Programming to include:**  
  - Fitness in parks  
  - Health education  
  - Community and corporate wellness  
  - Support and assist systems of care organizations and programs  
  Promote young adult, adult, and active aging programming through targeted marketing efforts.  
    - Develop more nature-based programming (classes, trips, and events).  
    - Develop more fitness opportunities (indoor/outdoor classes) and through partnerships with alternative providers.  
    - Develop more arts and culture programming (classes, trips, and events). | Staff planning and development | On-going |

**Develop Active Agers Programming**  
- Identify additional indoor/outdoor opportunities for Pickleball through programming (tournaments), scheduling, and development.  
- Program “adventure” or camp type opportunities for adults.  
- Program integrated fitness opportunities.
<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td><strong>Continue Program Diversification and Community Outreach</strong></td>
<td></td>
<td>Ongoing</td>
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<tr>
<td>• Continue to develop multi-cultural opportunities for engagement and</td>
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<tr>
<td>inclusion of the Latino population and others.</td>
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<tr>
<td>• Evaluate scheduling of programs to accommodate parents/children/multi-</td>
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<tr>
<td>generations.</td>
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<td>• Continue to partner with alternate providers to strengthen the</td>
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<tr>
<td>offerings within the community.</td>
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<tr>
<td>• Continue to identify underserved populations and the barriers of</td>
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<td>entry that exist within the system; with a particular attention to</td>
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<td>low and moderate-income populations.</td>
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<tr>
<td>• Evaluate the fit of programs through a services assessment.</td>
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<tr>
<td><strong>Adaptive/Accessible Programming</strong></td>
<td></td>
<td>Staff planning and development</td>
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<tr>
<td>• Develop and communicate opportunities for inclusive services within</td>
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<tr>
<td>current programming.</td>
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<tr>
<td>• Dedicate staff liaison to coordinate efforts with programmers.</td>
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<tr>
<td>• Address program access through marketing materials and registrations</td>
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<td>system.</td>
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<tr>
<td>• Provide programming opportunities for seniors, special needs, and</td>
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<tr>
<td>through Special Olympics activities.</td>
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<tr>
<td>**Continue to Build Partnerships and Collaborative Programming with</td>
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<td>Ongoing</td>
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<tr>
<td>Alternative Providers:**</td>
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<tr>
<td>• St. John’s Hospital</td>
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<tr>
<td>• Teton County Health Department</td>
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<tr>
<td>• Teton County Library</td>
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<tr>
<td>• Teton County Senior Center</td>
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<td>• Teton County School District</td>
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<tr>
<td>• Public/Private Partnerships</td>
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<td>• Snake River Fund</td>
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<tr>
<td>• Friends of Pathways</td>
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<tr>
<td>• Jackson Hole Public Art</td>
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</table>
## Policy and Procedure

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<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
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</thead>
<tbody>
<tr>
<td><strong>Review and Update Cost Recovery Policy</strong></td>
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<tr>
<td>• Utilizing Parks and Recreation Advisory Board input for sorting during the next review of policy.</td>
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<tr>
<td>• Analyze definitions for direct and indirect costs, and ensure that consistency, accurate tracking, and measurements are in place.</td>
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<tr>
<td>• Consider adjustments to the ranges in each tier, if necessary.</td>
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<tr>
<td>• In conjunction with services assessment, determine the viability and effectiveness of programs.</td>
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<tr>
<td><strong>Recreation Center Access/Use Policy</strong></td>
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<tr>
<td>• Maximize use of the Aquatics Scheduling Policy.</td>
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<tr>
<td>• Develop an operations philosophy to balance the facility use at the Recreation Center, shifting group use away from prime time.</td>
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<tr>
<td><strong>Field Scheduling Policy</strong></td>
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<tr>
<td>• Use aquatics scheduling policy as a model to create field/facility scheduling policy.</td>
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<tr>
<td><strong>River Access Maintenance Policy</strong></td>
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<tr>
<td>• Develop communication strategy regarding current maintenance and management policies.</td>
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<tr>
<td>• Re-evaluate Management Plan prior to expiration.</td>
<td>Staff planning and development</td>
<td>2019</td>
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<td></td>
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<td>On-going</td>
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<td></td>
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<td>Immediate</td>
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### Funding

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<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
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<tr>
<td><strong>Recreation Center User Fees (Update)</strong>&lt;br&gt;• Develop user fee strategy that reflects update to cost recovery goals and objectives.&lt;br&gt;• Incrementally increase per hour pricing for swim lanes, the gymnasium, etc. Effort should take several years.</td>
<td></td>
<td>With Cost Recovery update cycle/Immediate</td>
</tr>
<tr>
<td><strong>Park Facility Fees (Update)</strong>&lt;br&gt;• Develop user fee strategy that reflects update to cost recovery goals and objectives.&lt;br&gt;• Incrementally increase per hour pricing for athletic fields, shelter rentals, etc. Effort should take several years.</td>
<td>Staff planning and development</td>
<td>Immediate</td>
</tr>
<tr>
<td><strong>Sponsorship/Partnership Policy</strong>&lt;br&gt;• Develop more comprehensive sponsorship and partnership policies to encourage these strategies and allow for an easier communication and implementation process.&lt;br&gt;• Specifically address gift giving/donations within the policy to encourage, provide clarity, establish process, articulate selection criteria and approval mechanism.</td>
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<tr>
<td><strong>Park Exaction Land Development Regulation Update and Text Amendment</strong>&lt;br&gt;• Add land acceptance criteria to existing language&lt;br&gt;• Assure adherence to valuation of fees-in-lieu calculation&lt;br&gt;• Explore park impact fee to generate park development funding</td>
<td></td>
<td>Immediate</td>
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</table>
# Operations

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<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
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</table>
| **River Access Maintenance**  
  - Develop a community education strategy for the river access points operated by the Department.  
  - Evaluate the effectiveness of the current Management Plan on a yearly basis. | | Immediate |
| **Town of Jackson Downtown Public Restrooms**  
  - Track the true cost of service and ensure proper funding to keep up with increasing expenses. | | On-going |
| **Town/County Non-Park Grounds Maintenance Services**  
  - Conduct a services assessment to determine potential of contracting/partnership services, based on ability to continue current levels of service.  
  - Develop communication strategy to show impact of service.  
  - Continue to develop partnerships.  
  - Evaluate contracting some services where financial savings is possible. | Staff planning and development | Ongoing/Immediate |
| **Develop a new Marketing and Communications Strategy that includes:**  
  - Consolidate marketing efforts to dedicated staff member to ensure consistency.  
  - Develop a strategic marketing plan that shifts efforts toward story-telling, relationship building, and connection, and away from program/logistic focused marketing.  
  - Provide more communication about partners and programs.  
<table>
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<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td>Continue to evaluate the action plan provided in this Strategic Plan and how opportunities fit into the long term priorities on an annual basis. Criteria for decision making should include:</td>
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<td>On-going</td>
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<tr>
<td>- Fit with multiple planning documents</td>
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<tr>
<td>- Community needs/demand</td>
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<td>- Funding and opportunity</td>
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<tr>
<td>- Urgency</td>
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<tr>
<td>- Operational efficiency</td>
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</tbody>
</table>
Purpose of this Plan

This Parks and Recreation Strategic Plan creates a roadmap to ensuring an appropriate balance of facilities, amenities, and programs offered to the community now and into the future. It utilizes a system-wide approach to evaluate, parks, open space, recreation facilities, and programs in order to develop goals, policies, and guidelines, along with achievable strategies.

This Plan will be heavily used as a resource for development and redevelopment of the Department’s assets and services for the next 10 years.

Critical Success Factors

Critical Success Factors for this project identified by the project team guided the planning process to ensure that appropriate measures were taken to capture the opportunities and challenges unique to the Department. The project team:

- Ensured that decision makers and elected officials in Jackson and Teton County were engaged throughout the process.
- Considered relationships with federal agencies and other public alternate providers.
- Sought a balance between resident users and visitors, and further sought to understand the differences between regional/state visitors vs. national visitors.
- Considered Alta, Kelly, and Moran in the planning process.
- Determined best uses for the new properties recently transferred to Teton County ownership (Stilson Property and Teton Village property).
- Determined an appropriate service level for Teton Village.
- Determined best uses for Bureau of Land Management (BLM) land being transferred to Teton County.
- Considered the relationship with the Teton County School District.

Strategic Framework

The Department has a strong commitment to providing high quality parks and recreation facilities and programs for the citizens and guests of the community. Completing community surveys in 2005, 2012, and 2015, conducted by ETC Institute, the Department has proven its commitment to engaging with user groups. This planning process included collection of additional information, additional community engagement, and analysis of data to develop a clear set of goals, policies, and standards for the Department’s park system, open space, trails, recreation facilities, and program development for the next ten (10) years.
The purpose and mission of the County, the Town, and the Department provide the framework for the planning of the joint parks and recreation effort.
Teton County/Jackson and the Department

Teton County/Jackson is located in western Wyoming and serves as a gateway community to Grand Teton National Park, Yellowstone National Park, and Bridger-Teton National Forest. Teton County is over 76,000 acres, of which 97 percent is federally owned. Tourism is the driving force of the local economy, and sales tax is the primary funding source for local government services. Approximately 65 percent of the sales tax base come from visitors.

Teton County has approximately 23,000 residents, of which 10,000 are in the Town of Jackson. Jackson is the only incorporated town within Teton County. A significant number of the residents in Teton County are second home owners. According to the 2012 Jackson/Teton County Comprehensive Plan, the common values of community character are ecosystem stewardship, growth management, and quality of life.

Teton County/Jackson Parks and Recreation Department operates as a County agency under a Joint Powers Agreement between the Town and the County. Department funding is split between the County at 55 percent and the Town at 45 percent based upon the 2010 Census on residential population distribution. The Department also partners with the Teton County School District through a shared facility use agreement.

The Department has 11 developed parks comprising 60 acres and four (4) undeveloped parks comprising 89 acres; a 36,000 square foot recreation center with a gymnasium, multi-purpose space, 8 lane lap pool, leisure pool, splash down pool/slide tower, and therapy pool; 50 miles of paved multimodal pathways; and management of approximately 1,000 acres of Snake River Recreation parcels owned by the Bureau of Land Management (BLM). Through the School District agreement, the Department has management and maintenance responsibilities for 11 athletic fields comprising 18 acres. Lastly, the Department has grounds maintenance responsibility for all town and county government facilities and town right-of-ways.

The Service Profile
The service profile of the Department is large and unique to the community, offering a wide-range of programs and services, some that are not seen in many agencies nation-wide. Below is a listing of the Department’s programs and services:
Community Services Provided

- Natural resource protection and management (land, forestry, and water)
- Recreation programming
  - 300-350 programs per year
  - Ages – Infants through seniors
  - Types – Fitness, aquatics, sports, leisure, outdoor, after school (latch-key) summer camps, special events, field trips, educational, leagues, and tournaments
- Daily park maintenance, operations, and care of all facility grounds
- Sidewalk – snow removal, sweeping – 12 miles
- Trash removal (60+ facilities)
- Snow grooming
- Outdoor ice rinks
- Facility reservations/scheduling
- Outlet for community/state recreation permits
- Venues and facilities for community organizations, sports clubs, and special events
- Park and open space land planning and design
- Landscape planning and design for town and county facilities, right-of-ways, and public space
- Town and County planning and development assistance
- Capital repairs/replacements for $42 million in facility improvements

Recreational Related Support Service Responsibilities

- Community special event services (approximately 60 events each summer)
- Bleacher rentals/set-up for special events
- Athletic field painting (approximately 75 times each summer)
- Baseball field preparations (approximately 280 times each summer)
- Special event equipment use
- Exclusive facility rentals/reservations – clubs, teams, organizations, families (approximately 3,000 hours each summer, approximately 300 shelter rentals/summer)

Methodology of this Planning Process

The Department director, staff, and the Advisory Board led the project team in preparing the Parks and Recreation Strategic Plan, a document available to the public. The intent of this plan is to support the policies within the Jackson/Teton County Comprehensive Plan and it requires approval by the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council. The Parks and Recreation Strategic Plan becomes an element of the current Teton County/Jackson Comprehensive General Plan after approval of the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council.

A collaborative effort took place allowing for the incorporation of the consultants’ expertise with local and institutional knowledge provided by community members and Town/County project team members.
### Project Tasks and Timeline

<table>
<thead>
<tr>
<th>Task</th>
<th>Timeline</th>
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<tbody>
<tr>
<td><strong>Strategic Kick-off and Determination of Critical Success Factors</strong></td>
<td>April 2017</td>
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<tr>
<td><strong>Community and Stakeholder Engagement</strong></td>
<td>April – July</td>
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<tr>
<td>Initial Information Gathering</td>
<td>April – May</td>
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<tr>
<td>Focus Groups/Staff and Stakeholder Interviews</td>
<td>May – June</td>
</tr>
<tr>
<td>Demographics, Trends, and Community Profile</td>
<td>July</td>
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<tr>
<td><strong>Inventory and Level of Service Analysis</strong></td>
<td>May – July</td>
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<tr>
<td>Review of Existing Properties</td>
<td>May</td>
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<tr>
<td>Level of Service Analysis</td>
<td>May – July</td>
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<tr>
<td>Market Analysis</td>
<td>May</td>
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<tr>
<td>Evaluation of Existing Standards</td>
<td>June – July</td>
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<tr>
<td>Facilities, Lands, and Asset Gaps</td>
<td>June – July</td>
</tr>
<tr>
<td><strong>Funding, Action Plan, and Operations</strong></td>
<td>July – November</td>
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<tr>
<td>Financial Model and Scenarios</td>
<td>July – August</td>
</tr>
<tr>
<td>Partners and Alternative Providers</td>
<td>July – August</td>
</tr>
<tr>
<td>Findings and Visioning Strategies</td>
<td>August (Findings)</td>
</tr>
<tr>
<td>Action Plan</td>
<td>September (Visioning)</td>
</tr>
<tr>
<td><strong>Draft and Final Plans, Presentations, and Deliverables</strong></td>
<td>December 2017 – April 2018</td>
</tr>
<tr>
<td>Recommendations/Action Plan</td>
<td>December</td>
</tr>
<tr>
<td>Draft Plan</td>
<td>February 2018</td>
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<tr>
<td>Final Plans and Presentation</td>
<td>April 2018</td>
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**Other Documents Reviewed for this Plan**

While the planning efforts listed above have the most direct impact and influence on this strategic planning effort, the team also reviewed other documents to evaluate and ensure the alignment and consistency of recommendations and action steps across the Department. Those plans include:

- Indicator reports
- Budgets
- Employee manuals
- Facility/site master plans
- Program guides
- Community surveys
- Current policies

**Demographics and Trends Analysis**

Teton County and the Town of Jackson undoubtedly make up a unique community. Evidence observed while developing this plan, however, shows that this community is not immune to demographic and recreational trends that are sweeping the country. The desires of different age groups, community values, and popularity of a variety of recreational activities and amenities are all influential. Community demographics as well as regional and national trends are highlighted and used in the analysis of key issues and have been considered when determining priority and where to allocate resources toward the provision of parks, recreational facilities, and recreational services and programming for residents and visitors. The full demographic report is attached to this document as *Appendix A*. 
Comparative Analysis
Benchmarking allows the comparison of certain attributes of the Department’s management of public spaces (parks, recreation, aquatics, and related services) with other similar communities. For this plan, benchmarking data was collected from: Aspen, CO; Golden, CO; Ketchum, ID; Rock Springs, WY; Campbell County, WY; Cody, WY; Steamboat Springs, WY; Park City, UT; Laramie, WY; Rexburg, ID; Big Sky Community Organization, MT; Logan, UT; Idaho Falls, ID; Glenwood Springs, CO. ¹ Comparison for certain aspects of parks and recreation operations are used throughout this document where appropriate. The full benchmarking report is attached to this document as Appendix B.

Community Engagement
The Department has earned a reputation for being receptive to feedback by continuously engaging the community through periodic surveys, planning processes, and day-to-day operations. This plan is driven in part by data received through engaging the public in multiple ways including:

- Community surveys
- Focus groups
- Public meetings
- Stakeholder interviews
- Council and Advisory Board work sessions

Information regarding survey efforts in 2005, 2012, and 2015 is provided in Appendix C. A summary of all public, stakeholder, and governing board and advisors input collected in 2017 is provided in Appendices D and E.

¹ Information was requested from approximately 25 communities.
ANALYSIS/FINDINGS

Identification of Key Opportunities
Key opportunities for the Department were identified through public input and information gathering. The following section of this plan describes each of these opportunities through a narrative analysis.
Sources of input include:
- Qualitative Data:
  - Public meetings/ Focus groups
  - Advisory Board
  - Staff
  - The consultant team
- Quantitative Data:
  - Statistically-valid survey
  - Level of service analysis
  - Benchmarking

Existing and Future Facilities

Indoor Facilities/Amenities
While recreational programs hosted by the Department take place in satellite/partner locations, the Teton County/Jackson Recreation Center hosts the majority of its indoor programming. When constructed the facility included multi-purpose rooms, an aquatics center, and a gymnasium. Fifteen years later the facility was connected to the adjacent elementary school to provide a shared gymnasium. Today, the center continues to play an important role in the community.

Public Input
The 2005 and 2012 surveys showed an increase in use of the recreation center and support for expanding its services with both surveys identifying:
- Indoor health and fitness as an opportunity for improvement on a “needs” vs. “needs met” comparison.
- A significant increase in use would occur if the recreation center was expanded.
- Fitness equipment, a bowling center (this opportunity is not being considered in this planning effort), a walking and running track, and aerobics/dance opportunities rate as the top four indoor recreation spaces respondents would use most often.

The 2015 survey asked slightly different questions regarding the recreation center, but still showed support and a need for expanding the indoor services in the community as indicated in the box that follows. It identified the availability and variety of services and amenities through satisfaction levels and identified those same opportunities through level of importance to a household’s enjoyment of the center.
The 2015 survey indicated:

**Recreation Center Participation:**
Sixty-one percent (61%) of households indicated that they have participated in the Recreation Center over the past 12 months. Usage has gone down from 67 percent in 2012.

**Satisfaction with Recreation Center Services:**
Eighty-four percent (84%) of households indicated that they are either “very satisfied” or “satisfied” with the overall quality of parking lot maintenance. Similar levels of satisfaction include: overall quality of swim lessons (80%), overall quality of lap pool (79%), overall quality of gymnasium (77%), and overall value of entrance fees (76%). Households were least satisfied with the availability of public lap swim time (54%).

**Recreation Center Services That Are the Most Important to Households Enjoyment of the Recreation Center:**
The top three most important program services include: overall quality of locker rooms (30%), overall quality of leisure pool/slides (26%), and the availability of open public swim hours (25%).

Areas where the parks and recreation department should definitely increase emphasis with recreation center services include (1) the overall quality of locker rooms, (2) the availability of open public swim hours, (3) the availability of public lap swim time, and (4) the variety of programs offered.

Secondary emphasis should be placed on (1) the overall quality of the leisure pool/slides, (2) the overall quality of the lap pool, (3) the overall value of entrance fees, and (4) the overall quality of swim lessons.

The 2017 community and staff input reiterated the findings of previous outreach efforts. While the community is highly satisfied with the current facility, the Recreation Center has experienced challenges in accommodating the needs of the community, from a dedicated fitness/free weight space to a demand for rentable courts for sports clubs. This issue is highlighted in the winter months when there is lower access to parks, trails, and other providers by different types of users looking to participate in their chosen activity indoors (e.g. sports clubs), and when alternate providers discontinue programs and the Department’s facilities cannot accommodate new demand for programming.

Operationally, this is also creating user and scheduling conflicts. For example, as sports clubs grow, they continue to look for more space and time for practices/competitions. Since the Recreation Center is one of the few facilities in the community that accommodates these activities, there is a high demand for its space. While accommodating these opportunities in the community is important, it is also beginning to take away time from general/drop-in community use within the facility. Without strategic direction on the appropriate balance and mix of uses, staff cannot fully evaluate or communicate the reason for schedules and partnership opportunities provided by the Department.
When considering additional center expansion/phases versus other capital projects, the Department should make the facility a high priority because of the potential positive impact to the community.

- In 2012, 44 percent of survey participants noted that their indoor recreation/facility needs were not being met by the private sector.
- The 2012 survey identified adult health and fitness programs/classes and adult leisure education programs/classes as the top programs for which respondents have a need.
- The 2015 survey identified the Recreation Center as an opportunity for improvement on the Importance vs. Needs Met Assessment Matrix.
- Public input in 2017 referenced the need for indoor facilities due to limited services in the winter time, limited private sector offerings or recent closings, and the desire for additional programming opportunities.

Developing a larger recreation center also has the ability to service and accommodate the largest amount of the population because of its ability to be a multi-use and flexible space, assuming that each amenity identified is constructed. For example:

- Services at the center are not seasonal, allowing the community to access programs year-round.
- There is a demand for more trail and pathway grooming in the winter time by the community. Constructing an indoor walking/jogging track allows the Department to offer an indoor, safe/hazard free alternative.
- Pickleball courts are in high demand, and while outdoor courts are desired, an additional indoor gymnasium allows the Department to program additional hours of service.
- Developing additional gymnasium and/or pool space alleviates a lot of pressure on the Department to provide services only to one type of user or group (clubs vs. rentals vs. drop-in).
- Developing a fitness area expands service offerings accessible to the entire community.
- Developing multi-purpose classrooms allows the Department to program additional services as well as providing for meeting/gathering spaces in the community.

Balancing Needs of Groups vs. Individual Drop-in Use by the General Public

Changes in demands for use of the recreation center and amenities such as the gymnasium and swimming pool have created challenges in scheduling, and in particular in balancing the needs of groups vs. individual drop-in use by the general public. Club sports use has steadily increased over time, and in the case of swimming pool use, has more than doubled over the last four years. Charging for this use has shifted from a per-participant cost to an hourly rental cost.

The 2017 budget, which could be an indication of policy included $312,500 of revenue from:

- Multi-Use Passes 23%
- Daily Use Fees 64%
- Facility Fees (Rentals) 13%
  Total 100%

The amount actually collected was $290,216 or 93 percent. The 2018 budget continues to reflect the relative percentage of the daily and multi-use revenues versus the rental fees.
Consideration of an issue such as this, regardless of the particular sport involved, requires a balance of philosophy, policy, and operational approaches. Criteria for examination includes:

- Target cost recovery for the facility (if targets are pre-set, the right balance of types of uses would dictate an approach that would allow the target to be met).
- Fee policy (if fees are pre-set, it would dictate an approach that would allow the cost recovery target to be met or need to change the fees; are group use fees, whether charged per person, or by hour equitable to individual fees?)
- Expectation of availability for drop-in use (23% of users have pre-paid for use and have expectation for a reasonable amount of opportunity).
- User group make-up (are group members citizens of Teton County/Jackson, how restrictive are their participation requirements?).
- History of schedule/pattern of use (daily/weekly/monthly usages need to be monitored as well as the participation level to ensure maximization of use).
- Relationship with club sport group (is support for swim team a strict rental, or truly a partnership that would justify reduced fees; club must serve the entire community).
- Recreational vs. competitive level (does the nature of the use fit the mission of the Department and its resource capacity?).
- Availability of other space opportunities in the community (typically groups have easier access to other facilities like schools, churches, private facilities more so than drop-in users).
- Limiting club use to priority within sports season only.

The key is to develop a philosophy and communicate that philosophy to the community. It is imperative to advertise/post facility usage policies and priorities to set expectations. Fees need to reflect the philosophy. From an operational point of view, the establishment of prime and non-prime time hours can be useful in assigning time slots in a fair way. Monitoring actual use, participation numbers, and revenues allows operators to adjust time allowance for different types of use.

**Implementing the Vision of the Recreation Center**

The Department has been trying to expand the recreation center since the early 2000s:

- Master planning efforts (2006, 2012)
- A feasibility study (2012)
- SPET tax support for renovations (2017)

**Feasibility Studies and Master Plans**

Following the continuous support of developing more indoor space, the Department conducted feasibility studies and subsequent master plans to identify a path to implementation and construction.

In recent years, the Department has proposed concepts for phased construction and upgraded amenities at the Center, including a full feasibility study for a recreation center, however final decisions by elected officials did not include these in SPET measures. Other support services, such as locker rooms, have been funded in an effort to better take care of what already exists.

*Figure 1* is the most recent facility master plan for the expansion of the recreation center.
Figure 1: Recreation Center Master Plan – 2018
This master plan communicates a plan to fill gaps in amenities including a health and fitness center, an additional gymnasium, dedicated classroom space, and additional indoor and outdoor aquatics space as identified by the community during citizen outreach in 2005, 2012, 2015, and 2017. The phased approach of this plan is already underway, with PHASE 1 being funded through a 2017 SPET.

Comparative Analysis
This plan is consistent with the benchmarking survey conducted with nearby communities and communities deemed to be similar in characteristic to Teton County/Jackson. Of the communities responding, the most common amenities provided to their residents and visitors are:

- Fitness equipment/cardio equipment
- Multiple classrooms/dedicated fitness rooms
- Indoor track
- Indoor climbing space

Developing Amenities in Other Areas of the Community
Most of the conversation regarding the expansion of the community center assumed that development would happen on the current facility site. Though ideal, given the Comprehensive Plan goal of creating a community core in town, it is not the only option for specific types of improvements. The Department could also consider satellite facility development at an alternate park site, or with a community partner or private developer on other sites.

Well-crafted partnership agreements are necessary to ensure that equitable access and a mutually beneficial relationship are in place. If it is determined that expansion and/or construction at a new site are not feasible opportunities for the Department to do alone, partnership opportunities within the community exist:

- Partnerships with the school district in providing additional athletic fields, gymnasiums, and classrooms
- Partnering with private providers to co-develop facilities including a climbing facility or a fieldhouse
- St. John’s Hospital – health and wellness programming, rehabilitation, corporate wellness
- Senior Center – programs for aging in place
- Fairgrounds – special events, winter sports, dog park/facility
- 4H Building – educational/skill-building classes, meeting rooms
- Snow King Ice Center – winter sports programming

Partnerships with these organizations already exist to a certain degree, and should continue to evolve, but were not recognized by the community during public input.
Sharing resources with other entities is a great way to find mutually beneficial solutions, but it can create challenges due to poorly constructed agreements and differences in goals and objectives. When entering these types of relationships, the Department should prioritize minimizing capital and operating/maintenance resources and filling service gaps in the community. Potential challenges may be partner specific:
- School District
  - Identifying hours of service or access for community members. School districts often provide limited/no access to community members during the school’s operational hours, meaning that the Department would only have access to the facility during the late afternoon or evening hours.
  - Identifying appropriate ownership of the assets and distribution of revenues.
  - Identifying appropriate maintenance and operations agreements.
- Private providers/Other organizations
  - Ensuring that all community members have equitable access.
  - Identifying appropriate ownership of the assets and distribution of revenues.
  - Identifying an exit strategy should a party back out of the agreement.
  - Ensuring that the parties deliver services to the standard expected by the community.
  - Ensuring that use agreements are in place.

Community/Neighborhood Parks

Parks System Overview
A full facilities and asset inventory was completed in order to understand the relationship of the physical infrastructure within the system as a key component in planning for needs and wants of the community. A complete inventory, including park type definitions and analysis is found in Appendix F.

The Teton County/Jackson Parks and Recreation Department maintains multiple properties in the Town of Jackson and throughout Teton County, Wyoming. Some of the sites outside of town are along Highways 22 and 89, and within the communities of Wilson, Teton Village, and Alta. There are several additional properties either not designated as park land or not owned by the Town of Jackson for which the Department performs routine maintenance, such as mowing. Some of these properties, such as Aspen Cemetery and non-park county buildings, have limited recreation value, and as such were not evaluated in the inventory. Some of the properties evaluated in the inventory are owned by federal land agencies but function like town parks. On the whole, Department facilities and properties are well-maintained and in excellent condition.

Community/Neighborhood parks are intended to serve the surrounding neighborhood. They typically contain a picnic area, playground, seating, and often an active recreational element from a horseshoe pit to beach volleyball, or even a baseball field in some cases. Except for special events, visitors are typically not travelling great distances to use these sites. Geography and mobility of specific demographics in the community (e.g. seniors, children) should be considered in the distribution of park amenities.
**Park Features and Components**

Each of the parks evaluated in this inventory contained a number of programmatic elements or features, known as components. *Table 1* shows the components evaluated. The quality and level of maintenance of the majority of these components ranged from good to excellent.

**Table 1: Teton County - Jackson Park Site Features and Components**

<table>
<thead>
<tr>
<th>Site</th>
<th>Playground</th>
<th>Restrooms</th>
<th>Picnic Shelter</th>
<th>Community Garden</th>
<th>Nature</th>
<th>Trail/Boardwalk</th>
<th>Water Access</th>
<th>Athletic Field (multi-use)</th>
<th>Baseball, Softball, Little League</th>
<th>Tennis</th>
<th>Basketball</th>
<th>Volleyball</th>
<th>Unprogrammed Turf/Play</th>
<th>Skating Rink (Winter)</th>
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<tr>
<td>Teton Village Community Park</td>
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<tr>
<td>Valley Springs Wildlife Habitat</td>
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<tr>
<td>Wilson Boat Ramp</td>
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</tbody>
</table>

* Rangeview Park has portable/ seasonal restrooms
** The Phil Baux Little League field is used more often for community events than for organized sports
*** Stilson Park is in the planning phase. Amenities indicated are in the 2014 master plan

Gaps in the system, based on a 1/4 mile walking distance criteria, seem to be on the east side of the community by May Park, Teton Village, and south of South Park toward the community of Hoback. Considering that May Park is currently being developed, if service areas were expanded to 1/2 mile (meeting the walkability requirement of a complete neighborhood), and with high satisfaction rates from the public for neighborhood parks in general, the Department appears to have good park distribution within the community.
Karn’s Meadow, in particular, is located at the geographic center of town and can help close the gap between Powderhorn Park, Phil Baux, and the Fairgrounds. It is intended to be a more passive park within the system with trail connections, a loop, and interpretive signage. It is also along the Snow King – Maple Way Corridor and the Flat Creek Corridor Overlay (Comp Plan Strategy 4.4.S.5). As such, it can become the crossroads of both ecological and recreation pathways that weave through the center of town. May Park will be an important addition to the system, as it will serve the eastern portion of town, which previously had little parkland.

There are some small gaps in geographic service within town limits. Trying to establish Complete Streets and Pathway connections from these areas is likely more feasible than trying to acquire additional parkland. There are some subdivisions outside of town limits which are outside of the 1/4 mile walking distance from parkland, but HOA owned and maintained park space fills this service gap in some areas (Rafter J, Jackson Golf and Tennis, etc.).

**Quantifying of Level of Service**

Further analysis can be completed to quantify the service level of the parks system, which can be then be compared to other communities.

**Acres per Capita**

The Department provides approximately 157 total acres of parks, or 7.0 acres/1,000 residents.² The 7.0 acres/1,000 seems appropriate based on public feedback. As the community grows, the Department can potentially increase its acreage and maintain this ratio either by acquiring new land or by continued partnerships with other entities, as discussed above. The cost of land in the valley is famously high, so trying to expand through partnerships and by making existing resources more efficient seems like the most productive strategy.

When looking at the other communities surveyed (Figure 2) the Department is eighth out of 13 in providing the most park acreage amongst respondents. According to the NRPA Park Metric, the average agency provides 9.6 acres/1,000 residents. The Department provides approximately 7.0 acres/1,000 residents, which is below the mean when compared to agencies of similar population size, FTEs, and budget. This should not be considered wrong or bad and represents the land issues within the valley. There is not much land available in the area for purchase or for development. Considering the public’s high satisfaction and the systems alignment with the Comprehensive Plan, and the federal park land available to the public within Teton County, the 7.0 acres/1,000 residents is a quality standard.

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² A Teton County 2016 population of 22,547 was used and only currently “online” parkland area was included in this acreage calculation. The parks that were counted are Phil Baux, Powderhorn, Emily Steven, Owen-Bircher, Miller Park, Munger View Park, Rangeview Park, Town Square, Fairgrounds, Mike Yokel Park, May Park, North Park, High School Recreation Complex, Alta Community Park, and Russ Garaman. Once additional parks “under development” and in “planning” stages come online the total area will be close to 270 acres, or 11.3 acres/1,000 residents based on the 2021 population projection. (Source for population figures: U.S. Census Bureau and Esri Business Analyst in Attachment A: Teton County Demographics).
To maintain its current level of service to match population projections and to keep pace with the projected growth of the community, the Department would need an additional 16 acres in the next three years. With existing projects that are in development and planning stages, the Department is on pace to far exceed this number and continue to increase acres/1,000 even when accounting for population growth.

Moving forward, it is important to note that it will likely be more challenging for the Department to acquire additional land as supplies dwindle. Long-term strategies such as land donations by private individuals, land transfers from federal agencies, and parkland development/investment requirements by developers should be considered.

Utilizing Components to Define the Current Level of Service
There are challenges to defining and evaluating Level of Service in the Jackson Hole community, because of the large number of seasonal/part-time residents, the large percentage of workforce commuters, and the rural character of much of the county. Therefore, standard level of service metrics and methodologies designed for urban communities may not give an accurate depiction of the status of parkland in Jackson and Teton County. However, there are many factors that should be considered in this evaluation including population age and growth, planned parkland acquisitions and improvements, trends in recreation, and status of partnerships with Teton County Schools and other entities.

These variables are constantly shifting, and Jackson is a small enough community that standard quantitative ratios used elsewhere may become irrelevant too quickly. The Department needs to stay nimble to address changing demands on the community.

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3 A Community population of 26,671 in 2020 was used for the calculations.
While it is important for the Department to regularly reevaluate demand on its resources while looking at larger regional and national trends, setting standards of certain components can be useful. Other cities have used adopted standards as a comparison point for level of services ratios which can then help guide future park amenity development.

The Department should adopt a clear position that certain standards are minimums that should be maintained to provide quality service to the community as it grows. Based on current community feedback and observation, multi-purpose athletic fields, youth/practice soccer fields, playgrounds, and nature trails/boardwalks are the outdoor recreation facilities that seem to be at an appropriate level of service. The larger rectangle fields are flexible enough to accommodate various sports including soccer, lacrosse, football, rugby, etc. Playgrounds are important for younger children and parents with limited time. Trails/boardwalks are valuable as “front country” recreation features that also have the potential of tying into larger networks.

As part of the inventory process, recreational components within the service area were quantified (see Table 2 below). The values for fields are flexible as re-striping and re-configuring of field layout can result in different types, sizes, and counts of fields. The table shows how reliant the community is on the high school for active recreation sports fields, and to a lesser degree, tennis courts. The total recreation components/1,000 residents column produces the ratios that could be used as the basis of a future standard. The recreation components under development and planned column takes into consideration the 2014 master plan for Stilson Park.
Table 2: Recreational Components within the Service Area

<table>
<thead>
<tr>
<th>Recreation Components</th>
<th>2017 Total Inventory (including School District)</th>
<th>2017 Inventory (without School District)</th>
<th>Total Rec. Components/1,000 residents ****</th>
<th>Rec. Components under development and planned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Playground</td>
<td>7</td>
<td>7</td>
<td>0.30</td>
<td>0</td>
</tr>
<tr>
<td>Picnic Shelter</td>
<td>7</td>
<td>7</td>
<td>0.30</td>
<td>0</td>
</tr>
<tr>
<td>Nature Trail/Boardwalk</td>
<td>5</td>
<td>5</td>
<td>0.22</td>
<td>1</td>
</tr>
<tr>
<td>Water Access</td>
<td>5</td>
<td>5</td>
<td>0.22</td>
<td>1</td>
</tr>
<tr>
<td>Multi-purpose athletic fields *</td>
<td>4</td>
<td>0</td>
<td>0.17</td>
<td>0</td>
</tr>
<tr>
<td>Youth/practice soccer</td>
<td>7</td>
<td>0</td>
<td>0.30</td>
<td>0</td>
</tr>
<tr>
<td>Baseball, Softball, Little League **</td>
<td>7</td>
<td>3</td>
<td>0.30</td>
<td>2</td>
</tr>
<tr>
<td>Tennis Courts ***</td>
<td>8</td>
<td>3</td>
<td>0.35</td>
<td>2</td>
</tr>
<tr>
<td>Basketball Courts</td>
<td>1</td>
<td>1</td>
<td>0.04</td>
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</tr>
<tr>
<td>Volleyball</td>
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<td>2</td>
<td>0.09</td>
<td>0</td>
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<tr>
<td>Unprogrammed Turf/Play Area</td>
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<tr>
<td>Skating Rink (Winter)</td>
<td>4</td>
<td>4</td>
<td>0.17</td>
<td>0</td>
</tr>
</tbody>
</table>

* These fields can typically be striped for soccer or lacrosse relatively easily. Installation of football goalposts is more challenging. Currently there are two (2) fields at the High School with football goal posts and yardage markers.

** These are not necessarily interchangeable but this category is intended to show interest in and supply of "bat and ball" sports facilities. Outfields can also be used as practice fields for "rectangle" sports.

*** Tennis courts can also be re-striped for Pickleball. See discussion of Pickleball below.

**** A Teton County Population (2015) of 23,125, sourced from the Comp Plan, was used for these calculations. This figure is slightly higher than the 2016 projection and slightly lower than the 2021 projection in: Attachment A Teton County Demographics (Source: U.S. Census Bureau and Esri Business Analyst) All calculations should be redone when the 2020 US Census information is available.

Comparative Analysis

Table 3 shows the number of components provided within other agencies as reported through a benchmarking information request from similar communities. This data should not be used to determine the appropriate number of components in the Department’s system. It is only used for comparison purposes.
### Table 3: Recreational Components amongst Benchmarked Communities

<table>
<thead>
<tr>
<th>Facility/Department</th>
<th>Teton County/Jackson, WY</th>
<th>Aspen, CO</th>
<th>Ketchum, ID</th>
<th>Golden, CO</th>
<th>Rock Springs, WY</th>
<th>Campbell County, WY</th>
<th>Cody, WY</th>
<th>Steamboat Springs, CO</th>
<th>Park City, UT</th>
<th>Laramie County, WY</th>
<th>Rexburg, ID</th>
<th>Big Sky, MT</th>
<th>Logan, UT</th>
<th>Idaho Falls, ID</th>
<th>Glenwood Springs, CO</th>
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</thead>
<tbody>
<tr>
<td>Number of rectangular turf athletic fields</td>
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<td>2</td>
<td>9</td>
<td>5</td>
<td>5</td>
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<td>11</td>
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<tr>
<td>Number of softball fields</td>
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<td>7 softballs, 5 baseball fields</td>
<td>11</td>
<td>4</td>
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<td>4</td>
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<td>Number of softball fields</td>
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<tr>
<td>Number of pickle ball courts</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>4</td>
<td>1</td>
<td>4</td>
<td>6</td>
<td>8</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

These numbers can be further broken down into components/1,000 population (**Table 4**).

### Table 4: Recreational Components/1,000

<table>
<thead>
<tr>
<th>Department</th>
<th>Teton County/Jackson</th>
<th>Aspen, CO</th>
<th>Ketchum, ID</th>
<th>Golden, CO</th>
<th>Rock Springs, WY</th>
<th>Campbell County, WY</th>
<th>Cody, WY</th>
<th>Steamboat Springs, CO</th>
<th>Park City, UT</th>
<th>Laramie County, WY</th>
<th>Rexburg, ID</th>
<th>Big Sky, MT</th>
<th>Logan, UT</th>
<th>Idaho Falls, ID</th>
<th>Glenwood Springs, CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acres of parks/1,000</td>
<td>6.79</td>
<td>N/A</td>
<td>2.25</td>
<td>13.4</td>
<td>20.2</td>
<td>5.10</td>
<td>40.5</td>
<td>17.5</td>
<td>4.00</td>
<td>N/A</td>
<td>33.7</td>
<td>7.04</td>
<td>16.13</td>
<td>6.50</td>
<td></td>
</tr>
<tr>
<td>Rectangular turf athletic fields/1000</td>
<td>.22</td>
<td>.08</td>
<td>.48</td>
<td>.17</td>
<td>.10</td>
<td>.80</td>
<td>.79</td>
<td>.50</td>
<td>.29</td>
<td>0</td>
<td>.22</td>
<td>.38</td>
<td>.10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base-Softball fields/1,000</td>
<td>.09</td>
<td>.16</td>
<td>.10</td>
<td>.21</td>
<td>.30</td>
<td>.25</td>
<td>.70</td>
<td>.87</td>
<td>.20</td>
<td>.31</td>
<td>.74</td>
<td>.08</td>
<td>.12</td>
<td>.20</td>
<td></td>
</tr>
<tr>
<td>Playgrounds/1,000</td>
<td>.35</td>
<td>N/A</td>
<td>.15</td>
<td>.80</td>
<td>.80</td>
<td>.35</td>
<td>1.40</td>
<td>.79</td>
<td>.25</td>
<td>.37</td>
<td>.74</td>
<td>.40</td>
<td>.40</td>
<td>.80</td>
<td></td>
</tr>
<tr>
<td>Off leash dog parks/1,000</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>.03</td>
<td>0</td>
<td>.10</td>
<td>.16</td>
<td>.15</td>
<td>.06</td>
<td>0</td>
<td>.06</td>
<td>.02</td>
<td>.20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennis courts/1,000</td>
<td>.30</td>
<td>.28</td>
<td>.20</td>
<td>.27</td>
<td>.13</td>
<td>.23</td>
<td>.50</td>
<td>1.27</td>
<td>.70</td>
<td>0</td>
<td>.14</td>
<td>1.48</td>
<td>.14</td>
<td>.27</td>
<td>.80</td>
</tr>
<tr>
<td>Pickle ball courts/1,000</td>
<td>.17</td>
<td>.16</td>
<td>.10</td>
<td>.11</td>
<td>.20</td>
<td>0</td>
<td>.79</td>
<td>.20</td>
<td>.03</td>
<td>.14</td>
<td>2.22</td>
<td>.16</td>
<td>.10</td>
<td>.70</td>
<td></td>
</tr>
</tbody>
</table>
In general, the Department provides a comparable number of components within the system as other reporting agencies. There are outliers in each row, but components where the Department seems to be lower than the mean are multi-purpose athletic fields and off-leash dog parks, validating community sentiment.

Trends
Several trends related to parks have implications for the Department:

- Increasing connectivity to parks.
  - Teton County has developed an impressive multi-use pathway network, but it is important to continue to invest in and expand this system. These paths can function like linear parks and provide key vehicle-free linkages that also make the entire system feel much larger.
  - Connectivity can also relate to improved accessibility such as providing adequate parking, making safer intersections, and traffic calming around parks.
  - Park sites outside of town/walking distance should have transit connections.

- Water play features, splash pads, and spray parks at parks are becoming popular alternatives or compliments to deeper water.
  - Splash pads are best accommodated in community parks, but active parks with playgrounds could also be considered.
  - Sun shade studies, proximity to other play equipment, potable water, and (sanitary) drainage infrastructure are important considerations for the planning of these features.
  - Potential use of this space during the off-season should also be considered for improved efficiency.
  - Consider age appropriateness of play features and target users.

- Unstructured or natural play areas: outdoor spaces designated for play that are comprised of natural components such as plants, logs, water, sand, mud, boulders, hills, and trees. These components represent the larger wild environment in a way that feels safe and manageable to young visitors. A few man-made components might also be carefully integrated to support creative play, encourage confident exploration, and help children develop a lasting affinity for the natural world.\(^4\) (Other park type definitions may be found in Appendix F.)
  - Influenced by larger national trends in children’s play, there has been interest in creating a natural play area in the community.
  - Natural play areas are most compatible with community parks and passive parks, but other existing parks with suitably sized unused space could accommodate these features.
  - Parks that currently seem bland, lacking in identity, or are underused should also be considered, as the natural play areas could provide a destination and unique experience.
  - Consider age appropriateness of play features and target users.

- Public art in parks
  - Public art can be controversial but also add visual interest and identity to parkland.
  - The more conventional way to integrate public art in parks is to delineate spaces in parks for display of artists’ pieces, but artists and local artisans can also be engaged in the park design/renovation process to incorporate custom elements in site furnishings, shade structures, signage, etc. Integrating special lighting, recycled materials, and unique color schemes are some simple ways to enliven spaces.

Placing or integrating art into gateway parks can make a bold statement and doing so in less trafficked community parks can lead to a sense of discovery – both are valid depending on the desired effect.

The Comprehensive Plan (Policy 3.2.e) supports this concept by promoting integration of fine arts to provide quality neighborhood spaces. Selection criteria should be developed through the Advisory Board or Council and in partnership with the Jackson Hole Public Art Task Force.

Specific Park Site Considerations

**Individual Identity**

Many of the park sites in the county, especially the community parks, were built during the same time period and have similar features and equipment. While well-maintained and functional, these parks tend to suffer from a lack of individual identity as a result. Because of this, park users may typically choose to visit only the park closest to their home out of convenience. If parks had signature elements, people in the community would likely visit different parks for the unique experience. Providing equitable resources without creating near identical copies of parks is a challenge, yet can be achieved by allowing for greater design flexibility. Phasing in unique and more contemporary playground structures into the community parks would be a good starting point. Creating specific use areas within a park is also a way to achieve this goal. For example, adding a dog park or natural play area to a park would instantly create a different user group and use pattern.

The Comprehensive Plan advocates the establishment of Character Districts (Policy 3.3.d) through development of Neighborhood Plans. Creating neighborhood character or identity is often achieved through public space such as streetscapes and parkland. The context of parkland and the sites predominant uses and existing resources create identity. For example, parks with natural features such as Karn’s Meadow, Valley Springs, and Emily Stevens are better suited to more passive uses and conservation and restoration initiatives.

**Teton Village**

The future parkland in Teton Village is still in the early planning stages, and the preliminary master plan listed a traditional neighborhood park as one of the most important things for the community to include. For a school, the School District will likely receive 3 of 11.7 acres recently conveyed to the County. When the resort reaches full build out, this property will become a key public open space component of Teton Village. Ideas of incorporating a future winter sports charter school have also been discussed.

Participants in the focus groups and public meetings identified Teton Village as an “underserved” area within the community. This was due to its low relative access to components. As the area continues to grow, the Department should develop a community park, and consider the implications for the trails and pathways plan.

- Consideration for community connections (trails and pathways connecting the Village to the rest of the area) should be given to accommodate the highly transient and tourist populations.
- Highly specific athletics facilities are probably inappropriate, but flexible, multi-use turf spaces are appropriate for various events and sports practice space catering to both fulltime residents and visitors and should be considered.
- Winter programs including ice skating and cross country skiing should be considered.
Hog Island/Hoback Neighborhood Park
The Comprehensive Plan identifies this area as the one with the greatest growth potential in the area. Population could grow by 5,000 - 10,000 residents. An elementary school is being built in the area which will be the catalyst for residential growth. Land acquisition for a park site is critical as the closest park is six miles away. Land exaction should be pursued in a manner that maximizes the value of the exaction to fulfill the park need.

Special Event/Community Gathering Parks

Special Consideration for Community Events Infrastructure
The Department currently hosts multiple special events throughout the system ranging from racing series to farmers markets, and as well, supports numerous community events hosted by organizations such as the Chamber of Commerce. As part of creating a community hub within the Town, many special events and festivals happen at Town Square Park, creating large maintenance impacts and traffic congestion in town.

These opportunities are a growing trend, because festivals and other special events are popular activities that provide family-oriented entertainment, generate economic activity, and serve to celebrate community identity. They are also viewed as a means of introducing people to the community’s public parks and recreation system.

When developing opportunities for community gathering spaces (new events space, home for farmers market, amphitheater, etc.) the Department should consider:

- Flexible use spaces, such as open unprogrammed turf areas, can accommodate community events and be used for other activities such as youth sports practice space at other times.
- These areas should be within town limits, but smaller events that cater to communities of Wilson and even Teton Village could be held at the community parks in these areas.
- Walkability is important, and parking for larger events should be considered. Passive parks and gateway parks are not typically ideal for these events, because they either do not have the space to accommodate them, or they already have heavy use/traffic from visitors.
- Some events such as the farmers market are better situated on paved or gravel surfaces and could benefit from covered pavilions/shelters.

Gateway Parks
Gateway Parks should strengthen the sense of arrival into the community. Enhancing Jackson Gateways (Policy 4.4.b) is a focus in the Comprehensive Plan and parkland can play a role in this.

North Park is an obvious gateway, as it sits at the northern extent of town adjacent to the Visitor Center. Though in the center of Jackson, Town Square functions as a gateway of sorts, as it is often one of the first outdoor places in town that tourists will visit. The future park in Teton Village will play the role of Gateway Park. Baux Park is a gateway in a different sense, as it is the gateway from town to the mountains and forest.
**Baux Park Re-development**

Because of its geographic location and Snow King resort improvement plans, Baux Park figures prominently in the discussion of parkland’s role in the community. There are several policies in the Comprehensive Plan that highlight the importance of this site. Baux Park is the end point of the Snow King – Maple Way connector, and as such, is a key piece of a Complete Neighborhood (Policy 2.2.a). The site can continue to serve as an access point to Bridger-Teton NF enhancing natural features in the built environment (Policy 3.2.f) and also serve as a different type of gateway (Policy 4.4.b), a front country gateway to the mountains.

The park is a valuable community gathering site and contains a grass area that can be used for a sports practice field. These roles may not necessarily be incompatible with Snow King’s future plans for the site, but the community must a) understand the importance of this site and b) if not undergo a full redesign of the western portion of the site then at least establish some requirements and compensation criteria for any resort-related development on the property.

Additionally, a re-development at Baux Park should include consideration of the need for, and the design for, special events within the community, an activity identified by multiple users and one of the most requested activities on a national level. Currently, most of the special events provided or hosted by the Department occur within the Town center, but there is concern of over use and traffic in the park. Developing a space at Baux Park provides the Department with a supplemental site for events, while retaining the “Town core” concept from the Comprehensive Plan. It should be noted that events do currently occur in Baux Park, but it is not specifically designed to support this type of activity.

Options for re-developing Baux Park

- Baux Park should be developed to encourage its use as a front country gateway connection to the National Forest. Public use and access should take precedence over redevelopment by a private entity.
- As Baux Park forms the end point of the Snow King – Maple Way connector (Comprehensive Plan) having a community focused node at this location is vital.
- A large flexible space can accommodate community events such as concerts, farmers markets, and youth sports practice areas.
- Building off themes of “front country” exploration and the bouldering wall in this park may also be a good location for a natural play area and interpretive signage related to forest ecology, wildlife, etc.
- Consideration could be given to an X games or extreme sports theme, and/or could include a skatepark.

**Beyond the Community and Neighborhood Parks**

For the entire park system, the balance of conservation and development is paramount.

- Sustainable design and materials should be encouraged in parkland development to help minimize negative environmental effects (stormwater runoff, urban heat island, fossil fuel use, etc.) and help provide benefits to surrounding conservation areas (native plantings, water quality improvements).
- Many of the BLM parcels are adjacent to the Snake River, in the floodplain, and further from populations. As such, they have habitat/conservation value. These characteristics (plant communities, water quality impact, migratory corridors, proximity to developed areas, etc.) need to be considered in any development and planning efforts.
Some of the BLM properties may be better suited for land swaps with other landowners to create joined and continuous land ownership configurations. In these scenarios, upland properties closer to population centers could come under Department control and eventually be transformed into parkland that meets community goals and needs.

**Athletic Fields**

The main athletic fields in the system are at the High School Recreation Complex. The Department also utilizes open green space and baseball/softball fields around the system to create temporary rectangular fields when necessary, a solution often utilized for practice times. This tends to work in the community given its size, but is not ideal and creates issues with scheduling, maintenance, and mixed-uses at parks.

**Community Survey**

*Table 5* compares 2005 and 2012 survey results regarding athletic fields. Though these numbers show improvement from 2005 to 2012, the surveys also asked about the importance of programming opportunities in the community. In the 2012 survey, Adult Sports (43%) and Youth Sports (26%) both ranked in the top 10 programs for which households have a need. One can assume that if there is an increase in sports programs there will be an increase in the need for infrastructure.

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Need being met</td>
<td>57%</td>
<td>91%</td>
</tr>
<tr>
<td>Need in the community</td>
<td>16%</td>
<td>28%</td>
</tr>
<tr>
<td>Satisfaction with quality</td>
<td>55%</td>
<td>63%</td>
</tr>
<tr>
<td>Satisfaction with amount</td>
<td>37%</td>
<td>66%</td>
</tr>
</tbody>
</table>

Although the 2015 survey moved way from asking whether needs were being met, to a different series of questions, the results appear to be similar to the previous surveys. The following is a summary of the “athletics fields” findings from the 2015 survey.
**Athletic Field Participation:**
Thirty-seven percent (37%) of households indicated that they had participated in athletic fields over the past 12 months.

**Satisfaction with Athletic Field Services:**
Ninety-three percent (93%) of households indicated that they are either “very satisfied” or “satisfied” with mowing and trimming of fields. Similar levels of satisfaction include: overall quality of soccer and lacrosse fields (82%), overall quality of baseball fields (75%), and the overall quality of trash pick-up. Households were least satisfied with the overall quality of outdoor restrooms (55%).

**Athletic Services That Are the Most Important to Households Enjoyment of Athletic Fields:**
The top three most important program services include: overall quality of outdoor restrooms (32%), overall quality of soccer and lacrosse fields (31%), and mowing and trimming of fields (21%).

**Athletic Services That Are the Most Important to Households Enjoyment of Athletic Fields:**
The top three most important program services include: overall quality of outdoor restrooms (32%), overall quality of soccer and lacrosse fields (31%), and mowing and trimming of fields (21%).

Areas where the parks and recreation department should definitely increase emphasis with athletic field services include (1) the overall quality of outdoor restrooms. Secondary emphasis should be placed on (1) the overall quality of soccer and lacrosse fields and (2) mowing and trimming of fields.

While findings from 2015 appear do not seem to prioritize developing athletics fields as a priority opportunity when compared to other components such as a dog park, trails, or other park amenities, this conversation was especially prevalent in the focus groups and public meetings where organized sports organizations and general users regularly advocated for adding more sports fields to the current inventory. This has been especially true from general users or users not affiliated with specific organizations.

**Community Focus Groups and Stakeholders**
Understanding that one of the focus groups was dedicated to sports organizations, it was still a recurring theme among each group and/or interview. The main challenge identified by focus groups was scheduling, a lack of sport specific practice areas, and a concern that limited space would limit their ability to recruit players.

Stakeholders also identified athletic fields as an economic opportunity. All clubs felt that they were at a disadvantage by having to travel to neighboring communities for tournaments, and if more athletics fields were provided the community they could host tournaments (youth and adult); creating a new opportunity to stimulate the economy.

**Reliance on a Single Venue**
*Table 6* in the inventory section of this report illustrates how reliant the Department is on the High School for providing these resources, as it provides all of the current (lined) athletic fields in the area. While the partnership is currently working, the fields do see a high volume of usage during the sports seasons. Participation numbers provided by the Department (*Table 6*) create a snapshot of the current use by sports organizations.
Table 6: Outdoor Sports Participation

<table>
<thead>
<tr>
<th>Organization</th>
<th>Participants 2014</th>
<th>Participants 2015</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson American Legion Baseball</td>
<td>25</td>
<td>56</td>
<td>Jackson Invitational</td>
</tr>
<tr>
<td></td>
<td>76</td>
<td>112</td>
<td>August Tournament</td>
</tr>
<tr>
<td>Jackson Youth Baseball</td>
<td>186</td>
<td>204</td>
<td>Season</td>
</tr>
<tr>
<td>JH Youth Futbol</td>
<td>105</td>
<td>448</td>
<td>Summer 2014</td>
</tr>
<tr>
<td>JH Youth Soccer</td>
<td>450</td>
<td>424</td>
<td>Spring</td>
</tr>
<tr>
<td></td>
<td>138</td>
<td>116</td>
<td>Summer Rec League</td>
</tr>
<tr>
<td></td>
<td>1651</td>
<td>1527</td>
<td>Fall Classic Tournament</td>
</tr>
<tr>
<td></td>
<td>462</td>
<td>369</td>
<td>Fall</td>
</tr>
<tr>
<td>Jackson Youth Football</td>
<td>62</td>
<td>120</td>
<td>Fall League</td>
</tr>
<tr>
<td>Lacrosse Club</td>
<td>375</td>
<td>2015 Spring Tournament</td>
<td></td>
</tr>
<tr>
<td></td>
<td>240</td>
<td>300</td>
<td>May 9th Tournament</td>
</tr>
<tr>
<td></td>
<td>330</td>
<td>300</td>
<td>May 30th Tournament</td>
</tr>
<tr>
<td></td>
<td>138</td>
<td>154</td>
<td>Spring</td>
</tr>
<tr>
<td></td>
<td>57</td>
<td>120</td>
<td>Fall League</td>
</tr>
</tbody>
</table>

The highest participation rates among the sports offered in the community belong to soccer and lacrosse, two of the fastest growing sports according to national trends. Baseball, while still relatively popular, is not seeing the same growth trend as the other sports. While the table above refers only to games, there is also a significant strain on the system to find space for practice. Teams often practice in parks and fields dedicated to other sports, creating additional wear on other amenities.

**Benchmarking**

The NRPA (National Park and Recreation Association) Park Metrics report indicates that only about 60 percent percent of agencies report providing multi-purpose rectangular fields. *Table 7* shows the number of rectangular and ball diamonds available in similar communities in the western region of the United States and breaks the number down to a “per 1,000” population.
Table 7: Athletic Fields Provided in Comparison Communities

<table>
<thead>
<tr>
<th>Department</th>
<th>Teton County/Jackson, WY</th>
<th>Aspen, WY</th>
<th>Ketchum, ID</th>
<th>Golden, CO</th>
<th>Rock Springs, WY</th>
<th>Campbell County, WY</th>
<th>Cody, WY</th>
<th>Steamboat Springs, CO</th>
<th>Park City, UT</th>
<th>Laramie County, WY</th>
<th>Rexburg, ID</th>
<th>Big Sky, MT</th>
<th>Logan, UT</th>
<th>Idaho Falls, ID</th>
<th>Glenwood Springs, CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of rectangular turf athletic fields</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>9</td>
<td>5</td>
<td>5</td>
<td>8</td>
<td>10</td>
<td>10</td>
<td>9</td>
<td>11</td>
<td>11</td>
<td>10</td>
<td>23</td>
<td>1</td>
</tr>
<tr>
<td>Rectangular turf athletic fields/1000</td>
<td>0.22</td>
<td>0.08</td>
<td>0.10</td>
<td>0.48</td>
<td>0.17</td>
<td>0.10</td>
<td>0.80</td>
<td>0.79</td>
<td>0.50</td>
<td>0.32</td>
<td>0.29</td>
<td>0.32</td>
<td>0.74</td>
<td>0.22</td>
<td>0.38</td>
</tr>
<tr>
<td>Number of baseball/softball fields</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>4</td>
<td>9</td>
<td>12</td>
<td>7</td>
<td>11</td>
<td>4</td>
<td>11</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Base- Softball fields/ 1,000</td>
<td>0.09</td>
<td>0.16</td>
<td>0.10</td>
<td>0.21</td>
<td>0.30</td>
<td>0.25</td>
<td>0.70</td>
<td>0.87</td>
<td>0.20</td>
<td>0.31</td>
<td>0.74</td>
<td>0.08</td>
<td>0.12</td>
<td>0.20</td>
<td></td>
</tr>
</tbody>
</table>

Teton County School District Growth
Additional consideration for the Department is the rate at which the School District is projecting growth. Previously the School District reported that its elementary class sizes were above capacity and are now projecting that the high school aged population will grow by more than 50 percent. This will have an impact on the demand for services provided by the Department and the rate of use of athletic fields in the system.

This could be especially impactful in communities in the south area where a school site is being developed. In addition to providing community park-like amenities, the Department should also look to partner with the school district to provide additional athletic fields.

National and Local Trends
Major trends within park facilities revolve around how the facilities are developed, operated, and maintained. Recreation Management magazine’s “2016 State of the Industry Report” notes that:
- Over 85 percent of agencies reported partnering with other organizations (3/5 being schools) to provide facilities in their communities.
- Agencies are being asked to find ways to recover more costs at facilities.
- Facility use is expected to increase.

The same report notes that adult and youth sports programs are both in the top 10 most programmed services in the industry.
Recommendations to Provide Additional Athletics Fields

**Developing the Stilson Property**
While the Stilson Property has been criticized by some for its location out of town, it does have qualities that offset these concerns. The site is at the crossroads of Rt 22 and 390 and therefore, between Jackson, Wilson, and Teton Village – all growing areas. This is also an existing transit hub that can be expanded and therefore conforms to Policy 7.3.a of the Comprehensive Plan. Because of proximity to other parks including Rendezvous Park, Emily Stevens Park, Wilson Boat Ramp, and the pathway network, Stilson Park is positioned to become an important piece of larger parkland complex.

Stilson becomes a priority for development when considering:
- The land is available and the adjacent landowners (JHMR) seem cooperative and supportive of the project.
- There is general public support behind a park facility at Stilson.
- Although outside of town, the site’s location fits goals of the Comprehensive Plan and Transportation Plan. It is located at the crossroads of communities in the valley.
- Multi-use practice fields and facilities that can host regional events/tournaments should be the priority.
- Developing athletics facilities allows the Department to not be reliant on partnerships to provide access to athletic field (unless it is determined that co-development for the foreseeable future is necessary). In the scenario that Stilson provides an additional 2-3 athletics fields, the Department could still utilize School District amenities as satellite or auxiliary facilities in the case of scheduling conflicts and higher demands, or as age-specific sites.
- Due to the nature of the area, the Department has limited opportunities to develop new spaces. While there are some issues with the location of Stilson, it currently provides the most feasible opportunity for the Department to provide athletic fields.
- Tournaments seem to be a high participation opportunity in the community. Providing additional facilities could have the potential of increasing those numbers. This would require a larger operational partnership between the Department, sports organizations, and organizations like the Jackson Hole Chamber of Commerce.
- The partnership opportunities that currently exist within the community, with the School District or with private developers are not guaranteed to continue or to see a project through to fruition.
- Adult programming at the High School Recreation Complex is taking away from youth opportunities.
- Parents have expressed interest in focusing youth programming at the High School Complex because of its location relative to the schools. The fields at Snow King/Baux Park seem to be out of the way.
- The Stilson Property could be designated for the purpose of hosting adults, who generally have the ability to drive outside of Town, which is in line with the Transportation Plan. If the High School Fields are prioritized as youth fields, the Department could look to expand youth sports programs around the area by purchasing additional land. This concept further fits Comprehensive Plan’s neighborhood districts by keeping youth near the Town core.
**Developing additional Athletic Field in the southern part of the community.**
This opportunity most likely exists with the development of a new school site, and in conjunction with the development of additional park amenities on the site. While the Stilson property can be considered a good opportunity because of its ability for the Department to become less reliant on partnerships to provide services, it doesn’t mean that the Department should avoid developing partnerships with alternative providers. In this circumstance, development with the school site is the best solution to fill a service gap.

**Dog Off-leash Areas**
Local community groups have been trying to identify a suitable location for a dog park for some time, and statistics show that the need is obvious. Although commonly referred to as dog parks, these places have been shown to be social gathering places for dog guardians—a park for people with dogs.

**Public Input**
In the 2005 Citizen Survey an early indicator of need was that dog walking was identified as an activity on paved pathways that 43 percent of households would use, following walking/jogging (70%) and bicycling (64%). The findings from the 2015 survey further this sentiment with:
- Forty-two percent (42%), equating to 3,733 households, indicating that they had a need for dog parks.
- Twenty-three percent (23%) of households identifying dog parks as one of the four “most important” components to add into the system, behind paved walking and biking pathways (37%) and additional neighborhood parks (29%).
- Only 7% of households feeling their need for dog parks was being met by more than 50 percent.

The following graphics (Figure 3) confirm public sentiment for the need and how they feel it is not being met currently.

**Figure 3: Graphics from 2015 Citizen Survey Regarding Dog Parks**

*2015 Teton County/Jackson Citizen Survey*

*181 Need for dog parks*

*LEGEND*
- 1%-20%
- 21%-40%
- 41%-60%
- 61%-80%
- 81%-100%
- No response

*2015 Teton County/Jackson Citizen Survey*

*Q181 How well needs are met for dog parks*

*LEGEND*
- 1.0-1.5 (6%)
- 1.6-2.0 (25%)
- 2.1-3.4 (15%)
- 3.5-4.2 (13%)
- 4.3-5.0 (10%)
- No response
A dog park was identified as a priority element throughout the public input process, with multiple sources providing anecdotal stories about the value of providing such an amenity or multiple sites within the system. PAWS, a local advocacy and volunteer group, which has been supplying poop pick-up stations, has been very vocal in representing the needs of many in the community, and regarding current restrictions about where dogs are allowed on and off-leash. Some concern about maintenance and safety surfaced, issues that have been tackled with success across the county.

**The Comprehensive Plan**

Policy 1.4.E of the Comprehensive Plan suggests that parks, and dog parks specifically, should be part of the open space conservation strategy.

**Dog Off-leash Trends**

National trends reinforce a dog park as an important component within a recreation system, identified by *Recreation Management* magazine’s “2016 State of the Industry Report” as one of the most common components provided by agencies across the country. In fact, the 10 largest cities in the U.S. increased the number of dog parks in their parks system by 34 percent between 2005 and 2010. Dog parks not only provide safe spaces for animals to socialize and exercise, they are also places where dog owners socialize and enjoy the outdoors. They help build a sense of community and can draw potential new community members and tourists traveling with pets.  

In 2014, the National Dog Park Association was established and focused its mission on providing informational resources for establishing and maintaining dog parks.

*Recreation Management* magazine suggested that dog parks can serve as a relatively low-cost way to provide an oft-visited a popular community amenity. Dog parks can be as simple as a gated area, or more elaborate with “designed-for-dogs” amenities such as water fountains, agility equipment, and pet wash stations. Even splash pads are being designed for dog parks. Well-designed dog parks cater to users with design features for their comfort and pleasure. Some parks agencies even offer creative programming at some dog parks for owners and their dogs.

Amenities in a well-designed dog park might also include the following:

- Benches, shade, and water – for dogs and people
- At least one acre of fenced-in space with adequate drainage
- Double gated entry
- Ample waste stations well-stocked with bags
- Sandy beaches/sand bunker digging areas
- Custom designed water-play feature for dogs
- People-pleasing amenities such as walking trails, restroom facilities, and picnic tables

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What’s Coming
For those concerned about maintenance, dog waste represents a new potential source of energy for the future. In January of 2018, an NRPA Blog posting reported that a British non-profit, the Malvern Hills Area of Outstanding Natural Beauty, is funding a project to produce a small-scale anaerobic digester for parks, so park patrons can deposit dog waste which is composted to produce methane that is used to power park lighting.8

Benchmarking
The NRPA (National Park and Recreation Association) Park Metrics report indicates that 52 percent of agencies report having at least one dog park in their park system. Closer to home, Table 8 below shows the number of dog parks available in similar communities in the western region of the United States.

Table 8: Off-Leash Dog Parks in Comparison Communities

<table>
<thead>
<tr>
<th>Facility/Community</th>
<th>Teton County/Jackson, WY</th>
<th>Aspen, CO</th>
<th>Big Sky, MT</th>
<th>Campbell County, WY</th>
<th>Cody, WY</th>
<th>Glenwood Springs, CO</th>
<th>Golden, CO</th>
<th>Idaho Falls, ID</th>
<th>Ketchum, ID</th>
<th>Laramie, WY</th>
<th>Logan, UT</th>
<th>Park City, UT</th>
<th>Rexburg, ID</th>
<th>Rock Springs, WY</th>
<th>Steamboat Springs, CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of off leash dog parks</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>n/a (1 private accessible to public)</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Potential Areas for Developing a Dog Park in Teton County
A dog park has been expressed as a community priority, is supported by the Comprehensive Plan open space conservation strategy, and has become a mainstay of parks and recreation offerings across the country. Location determination should be guided by the following criteria:

- The site’s relationship to the Town Core.
- The site’s relationship to residential areas.
- Preferably a site in both west and east Jackson.
- Availability of land within the current system, and land ownership.
- Community parks are most compatible with a dog park, but active and passive parks could work as well given a sufficient buffer surrounding the dog area.
- Appropriate design approach for site parameters.
- Commitment from a friends group to maintain the facility in a way that will not infringe on the adjacent neighborhood.

8 Top Trends in Parks and Recreation for 2018, By Richard J. Dolesh, NRPA’s Vice President of Strategic Initiatives. | Posted on January 8, 2018
Sites Considered
- Phil Baux – has been identified as a special event and gateway park and, due to its small size, making capacity for a dog off leash area unreasonable.
- Fairgrounds – an option, but is not under the control of the Department. Consideration should be given to pursue a partnership in order to potentially fulfill the need for a second site closer to the west side of town.
- Wayne May – good potential.
- North Park – is not owned by the town and is part of the National elk Refuge; not eligible.
- Mike Yokel – good potential.
- New land acquisition, especially for west Jackson; might also be a consideration.

Programs and Services

Recreation Programming
The Department provides instructional, skill-based, and social programs within four categories that contain a wide-variety of offerings, as well as drop-in/day-use opportunities throughout the system.

Adult Programs
- Aquatics – lifeguard training, scuba classes, water fitness, water safety instruction
- Group fitness – barre, high intensity interval training, ReFit classes (dance fitness), stand up paddle board yoga, Strong(HER)
- Lifelong Learning and Special Events – depend on the season; anything from gardening dos and don’ts to basic bike maintenance, CPR and First Aid; workshops and speakers offer a wealth of knowledge, and valuable first-hand experience
- Outdoors – seasonal variety of adult outdoor activities to introduce participants to new hobbies, educational opportunities, and recreational pursuits, also includes archery
- Recreational Sports – seasonal sports categories offer men's, women's, and coed sports year-round such as pickleball, kickball, softball, basketball, and volleyball; and open gym programming.

Youth Programs
- Aquatics – a variety of class options including learn-to-swim/swim lessons and aquatics classes.
- Pre-School – Pre-K programs, Pre-K ballet, gymnastics, Toddler Club
- Sports – Archery, flag football, taekwondo, basketball, t-ball, as well as drop-in and other seasonal opportunities.
- Summer Programs – Camp Jackson, Children’s Museum Summer Explorers Camp, High Adventures Expeditions

Active Agers
A wide-variety of inclusive opportunities strive to provide quality recreational, educational and social programs to promote wellness and lifelong learning, while keeping older adults active and engaged in their community.

Special Events
Examples include Run to the Summit Series, Thanksgiving Day Turkey Trot, Snow King Hill Climb, Spring Runoff 5k, and the Town Pump Bouldering Series.
Public Input
In the 2005 and 2012, surveys participation in recreation programming offered by the Department ranged from 40 percent of respondents to just under 60 percent. Over 90 percent of respondents rated the overall quality of programs as excellent or good (Figure 4).

Figure 4: 2005 and 2012 Community Survey – Quality of Programs Offered

The 2015 survey asked the question differently than the previous surveys by asking about the respondents’ satisfaction with specific aspects of the programs or program categories (Figure 5 and Figure 6). The location, quality of instructors, fees, and customer services rated at the top, while availability of information and navigation on the web site, ease of the online registration process, and times programs are offered were rated somewhat lower. When asked what aspects are most important to enjoyment of the programs, times programs are offered was by far the most important, followed by variety of programs, quality of instructors and fees. Less important were the website and registration process.
An Importance-Satisfaction matrix was created with the 2015 citizen survey data. This clearly shows youth programs and after school programs ranked as higher in importance than other programs, yet having a relatively lower satisfaction rating; identifying them as areas for improvement.
In the 2017 focus groups, and stakeholder and public input, across categories the Department received high praise for its efforts and had suggestions for improvements. As these are statements from individuals within the public input sessions, some are contradictory.

Citizens identified the following Department strengths regarding programs:

- Provides a wide variety of programming (all ages, different types, seasonal, etc.)
- High quality programming and service offerings
- High-quality opportunities in many areas, especially youth services, camps, and classes
- Services are affordable and accessible for residents, especially youth programming
- Camp Jackson summer program is one of the best programs offered in the community
- Provides critical opportunities for children in the community
- Provides transportation opportunities to its programs
- Able to meet the challenges of the unique sports
- Strong partnerships and willingness to collaborate with experts (such as river guides, rock climbers) and organizations within the community to provide services
- Does not duplicate the programming of other providers
The public and staff also indicated areas where the Department may be falling short, including:

- Services for aging populations and young adults
- Provides too many services without enough resources, and as a result may not be providing the highest quality service to the community
- Facility limitations impacting the ability to offer a more robust program offering for adults
- Acknowledging high quality youth programs, some stated that they felt the Department offers only programming for younger populations
- Need more programming diversification to address health and wellness, nature education, and arts and culture, consistent with national programming trends
- More programs for active agers – pickleball, outdoor adventure, adult adventure program (want what the kids have)
- Accommodate low and medium income households
- Adaptive accessible programming (focus has been on the fit and able)
- More culturally appropriate programming for the Latino population
- Concern about programs duplicated within the community by alternate providers.

**Demographic Influences**

Demographic trends in Teton County are important, yet must be taken into consideration with trends across the country, as visitors make up a lot of the population base being served by the Department.

The community seems to perceive the Department as having youth-focused programming. Though the Department does maintain high quality youth programs that service a high volume of users, they do also offer quality programming for all ages. As the Department looks to attract more users over the age of 18, there are generational characteristics to keep in mind that can be used to update and/or diversify its programming.

Three major age groups, the Baby Boomers, Millennials, and Generation Z, are having significant impacts in the planning and provision of parks and recreation services nationwide. In 2016 the majority (66.7 percent) of Teton County’s population belonged to one of these age groupings. However, Generation X was the largest single generational group (29 percent of the 2016 population), which coincides with the population’s median age of 38.6 years.
The 2017 “Participation Report”⁹ from the Physical Activity Council characterized generational participation in recreation, sports, fitness, and other physical activities as:

### Generation X
- **Ages 37-52 years**
- 29%
- Varied activity levels
- Top 3 activity preferences: fitness sports, outdoor sports, individual sports
- This generational group is comprised of individuals in the 37–52 year old age range. In 2016, the median age of Teton County residents was 38.6 years, and 29 percent of County’s population was a member of Generation X. This was the largest single age group in the county in 2016. Many members of this generation are in the peak of their careers, raising families, and growing their connections within the community.

### Millennials
- Moderately active
- Top 3 activity preferences: fitness sports, outdoor sports, individual sports
- There is limited information available that is specific to Generation X. Without a consensus on specific start or end years to generations, the Millennial and Baby Boomer generations sandwich Generation X into a relatively short timeframe. Most studies realize the focus on other generations, and conclude that Generation X share many characteristics of Millennials and Baby Boomers, but do not have their own defining traits.

### Baby Boomers
- Least active generation
- Top 3 activity preferences: fitness sports, outdoor sports, individual sports
- As suggested by the 2017 “Participation Report” from the Physical Activity Council, members of Generation X were “all or nothing” in terms of their levels of physical activity, with 37 percent reported as highly active, and 27 percent reported as completely inactive. As further noted in the report, over 50 percent of Generation X was likely to have participated in fitness and outdoor sports activities. An additional 37 percent participated in individual sports.

### Generation Z
- Most active generation
- Top 3 activity preferences: outdoor sports, team sports, fitness sports
- As suggested by the 2017 “Participation Report” from the Physical Activity Council, members of Generation X were “all or nothing” in terms of their levels of physical activity, with 37 percent reported as highly active, and 27 percent reported as completely inactive. As further noted in the report, over 50 percent of Generation X was likely to have participated in fitness and outdoor sports activities. An additional 37 percent participated in individual sports.

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The Millennial Generation
The Millennial Generation is generally considered those born between about 1980 and 1999, and in April 2016, the Pew Research Center reported that this generation had surpassed the Baby Boomers as the nation’s most populous age group.\textsuperscript{10} Millennials were estimated to comprise 28.4 percent of Teton County’s 2016 population, or approximately 6,400 residents.

Although slightly smaller than the Generation X cohort in Teton County, the Millennial cohort is now the largest age cohort in the country and may be driving trends, much like the Baby Boomers have done for generations.

In a 2011 study of the Millennial Generation,\textsuperscript{11} Barkley Advertising Agency made the following observations about Millennials and health/fitness:

- Sixty percent (60\%) of Millennials say they try to work out on a regular basis. Twenty-six percent (26\%) consider themselves health fanatics.
- Much of this focus on health is really due to vanity and/or the desire to impress others — 73\% exercise to enhance their physical appearance.
- Millennials are also fans of relaxation and rejuvenation, as 54 percent regularly treat themselves to spa services.
- Despite their commitment to health, Millennials stray from their healthy diets on weekends. There’s a noticeable difference between their intent to work out regularly and the amount of exercise that they actually accomplish.

Millennials tend to be a more tech-savvy, socially conscious, achievement-driven age group with more flexible ideas about balancing wealth, work, and play. They generally prefer different park amenities and recreational programs than their counterparts in the Baby Boomer generation. Engagement with this generation should be considered in parks and recreation planning. In an April 2015 posting to the National Parks and Recreation Association’s official blog, Open Space, Scott Hornick, CEO of Adventure Solutions suggests the following seven considerations to make your parks millennial friendly.\textsuperscript{12}

1. Group activities are appealing.
2. Wireless internet/Wi-Fi access is a must – being connected digitally is a millennial status-quo, and sharing experiences in real time is something Millennials enjoying doing.
3. Having many different experiences is important – Millennials tend to participate in a broad range of activities.
4. Convenience and comfort are sought out.
5. Competition is important, and Millennials enjoy winning, recognition, and earning rewards.
6. Facilities that promote physical activity, such as trails and sports fields, and activities like adventure races are appealing.
7. Many Millennials own dogs and want places they can recreate with them.


In addition to being health conscious, Millennials often look for local and relatively inexpensive ways to experience the outdoors close to home; on trails, bike paths, and in community parks. They, along with the Baby Boomer generation, highly value walkability, and in a 2014 study by the American Planning Association, two-thirds noted that improving walkability in a community is directly related to strengthening the local economy. The study also noted that 46 percent of Millennials, and Baby Boomers, place a high priority on having sidewalks, hiking trails, bike paths and fitness choices available to them in their community. In fact, these community features were viewed by study respondents to be of higher preference than a great school system, vibrant centers of entertainment and culture, and affordable and convenient transportation choices.

### Baby Boomer Generation

Baby Boomers are defined as individuals born between 1945 and 1964, as stated in “Leisure Programming for Baby Boomers.” They are a generation that consists of nearly 76 million Americans, and is estimated to have included over 5,000 Teton County residents in 2016.

Across the country, the population over age 65 continues to increase as a percent of the overall population. In 2011, this influential population began its transition out of the workforce. In the July 2012 issue of Parks and Recreation magazine, Emilyn Sheffield, Professor of Recreation and Parks Management at the California State University, at Chico, contributed an article titled “Five Trends Shaping Tomorrow Today.” In it, she indicated that Baby Boomers are driving the aging of America, with boomers and seniors over 65 composing about 39 percent of the nation’s population. As Baby Boomers enter retirement, they will be looking for opportunities in fitness, sports, outdoors, arts and cultural events, and other activities that suit their lifestyles. Now as the oldest Boomers are nearing 70, park and recreation professionals are faced with new approaches to provide both passive and active programming for older adults. Boomers are second only to Generation Y/Millennials in participation in fitness and outdoor sports.

Jeffrey Ziegler, a past president of the Arizona Parks and Recreation Association identified “Boomer Basics” in his article, "Recreating Retirement: How Will Baby Boomers Reshape Leisure in their 60s?" Highlights are summarized below.

- **Boomers are known to work hard, play hard, and spend hard.** They have always been fixated with all things youthful. Boomers typically respond that they feel 10 years younger than their actual age. Their nostalgic mindset keeps boomers returning to the sights and sounds of their 1960s youth culture. Swimming pools have become less of a social setting and much more of an

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extension of Boomers’ health and wellness program. Because Boomers in general have a high education level, they will likely continue to pursue education as adults and into retirement.

- **Boomers will look to park and recreation professionals to provide opportunities to enjoy many life-long hobbies and sports.** When programming for this age group, a customized experience to cater to the need for self-fulfillment, healthy pleasure, nostalgic youthfulness, and individual escapes will be important. Recreation trends will shift from games and activities that Boomers associate with senior citizens. Ziegler suggests that activities such as bingo, bridge, and shuffleboard will likely be avoided because Boomers relate these activities with old age.
- **Boomers will reinvent what being a 65-year-old means.** Parks and recreation agencies that do not plan for boomers carrying on in retirement with the same hectic pace they’ve lived during their years in employment will be left behind. Things to consider when planning for the demographic shift:
  - Boomer characteristics
  - What drives Boomers?
  - Marketing to Boomers
  - Arts and entertainment
  - Passive and active fitness trends
  - Outdoor recreation/adventure programs
  - Travel programs

### Generation Z

In her article, Emilyn Sheffield also identified that the proportion of youth is smaller than in the past, but still essential to our future. As of the 2010 Census, the age group under age 18 forms about a quarter of the U.S. population. Nationwide, nearly half of the youth population is ethnically diverse, and 25 percent is Hispanic. In Teton County, about 19.5 percent of the population (approximately 17,500 residents) was under the age of 19 in 2016.

Characteristics cited for Generation Z, the youth of today, include:19

- The most obvious characteristic for Generation Z is the pervasive use of technology.
- Generation Z members live their lives online and they love sharing both the intimate and mundane details of life.
- They tend to be acutely aware that they live in a pluralistic society and tend to embrace diversity.
- Generation Z’ers tend to be independent. They do not wait for their parents to teach them things or tell them how to make decisions.

With regard to physical activity, a 2013 article published by academics at Georgia Southern University noted that the prevalence of obesity in Generation Z (which they describe as individuals born since the year 2000) is triple that of Generation Xers (born between 1965 and 1979). It suggests that due to increased use of technology, Generation Z spends more time indoors, is less physically active, and more obese compared to previous generations. The researchers noted that Generation Z seeks social support from peers more so than any previous generation. This is the most competent generation from a

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technological standpoint, but Generation Z’ers tend to fear, and often struggle with, some basic physical activities and sports.

**Trends**

**Multiculturalism**

As recreation agencies continue to provide services within a more diverse society, race and ethnicity in the County will become increasingly more important factors in determining programming needs and means of service delivery. More than ever, recreation professionals will be expected to work with, and have significant knowledge and understanding of individuals from many cultural, racial, and ethnic backgrounds.

Teton County’s 2016 estimated population was predominantly Caucasian (87%). The remaining 13% identified as of two or more races (8.4%), Asian (1.5%), some other race (2.2%), Native Americans (.6%), and African American (.3%). Overall 15.7% of residents identified as being of Hispanic Origin. Other planning efforts have estimated residents identifying as being of Hispanic Origin as up to 25%.

- **Outdoor recreation participation varies by ethnicity:** Participation in outdoor activities is generally higher among Caucasians than any other ethnicity, and lowest among African Americans in nearly all age groups.
- **Lack of interest is a major reason for lack of participation in recreational activities:** When asked why they did not participate in outdoor activities more often, the number one reason given by people of all ethnicities and races was because they were not interested.
- **Most popular outdoor activities:** Walking, biking, running, fishing, and camping were the most popular outdoor activities for all Americans, with each ethnic/racial group participating to varying degrees.

Participation in outdoor sports among youth and young adults (ages 6 to 24) who identify as Hispanic was at 10 percent nationwide in 2013, according to the 2014 “Outdoor Recreation Participation Topline Report.” Those who did get outdoors, however, participated more frequently than participants of other backgrounds, with an average of 47 outings per year. Hispanic youth between ages of 13 and 17 were the most likely age group to participate in outdoor recreation, in the Hispanic demographic, followed closely by those in the 25 to 44 age range. The most popular outdoor activities among Hispanics were running and jogging (24%); road, mountain, and BMX biking (15%); fishing (14%); camping (13%); and hiking (9%).

**Comparative Analysis**

As communities across the country grow, recreation departments are being asked to evolve programming opportunities within their systems. While the Department has a wide variety of programming, the community called for more opportunities in fitness, nature education, and arts and culture, consistent with national programming trends.

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20 Outdoor Recreation Participation Report 2014
According to Recreation Management magazine’s “2016 State of the Industry Report,” 96.5 percent of survey respondents provided recreation, sports, fitness, and leisure programs of some kind. The most common programming offered included:

1. Fitness programs
2. Educational programs
3. Day and summer camps
4. Youth sports teams
5. Mind-body/balance programs
6. Sports tournaments and races
7. Swimming programs
8. Adult sports teams
9. Active senior/older adult programs
10. Holiday/special events

It is worth noting that the Department currently offers programs within each of the trending areas. The community’s “nothing for me” perception may be indicative of a marketing and awareness shortfalls rather than a service gap.

Of particular interest is programs for “active agers” as the community continues to age. Programs to consider are pickleball, adventure or camp type programs adapted from the very popular Camp Jackson for youth, and fitness programs to promote movement and social interaction.

Adaptive Programming
The community identified people with disabilities as an underserved user group, or a user group with limited opportunities provided by the Department. To better accommodate this group, the Department should look at ways to accommodate individual users in their exiting service profile. This is often done through an inclusion services or therapeutic recreation specialist on staff. This staff member works with the programming staff and users to identify the most appropriate accommodation. Small communities often designate an individual on staff to handle this function, rather than creating a new role or job function. As programs evolve, each program outline/proposal should include a section of potential accommodations for people with disabilities.

Outdoor Recreation Programming
With its unique setting, the Department should pay close attention to trends and opportunities within the outdoor recreation space. Statistics to consider are:

- According to the 2017 “Participation Report” by the Physical Activity Council, over half of each generation participates in fitness sports; with roughly 2/3 of Millennials and Generation Xers participating in fitness activities.
- Walking, running, jogging, and cycling are nearly universally rated as the most popular activities among youth and adults. These are attractive as they require little equipment, or financial investment to get started, and they are open to participation to nearly all segments of the population.
- Overall participation in sports, fitness, and related physical activities has fluctuated in recent years with an increase in team, winter, water, and fitness sports participation. Racquet and outdoor sport participation remained flat in 2015, while individual sports declined slightly.
• In the 2016 “Outdoor Recreation Topline Report,”21 nearly half (48.4%) of Americans participated in outdoor recreation activities in 2015. Increased participation in outdoor recreation activities were strong in paddle sports, with stand-up paddle boarding remaining the top outdoor activity for growth, with participation growing by 26 percent from 2014 to 2015.
• No adult recreational sport is taking off faster than pickleball.22 It is an attractive programming option for recreation managers, because it is adaptable to a variety of existing facilities.
• Stand up paddle boarding, kayaking, and fly fishing are at the top of the list for increases in participation.
• About 20,000 paid interpreters are working nationally, along with more than 500,000 unpaid volunteers staffing nature programs at parks, zoos, and museums. The growth of these programs is thought to come from replacing grandparents as the teacher about the “great outdoors.”

Even though the Jackson/Teton County community is surrounded by outdoor recreation opportunities, there are some in the community that cannot access them because they are within National Parks and Forest, accessible only by car, or require specialized equipment to access. To provide accessible opportunities to outdoor recreation within its system, the Department should look to provide “front country” opportunities where appropriate. Considerations include:

• Front country opportunities are best suited for sites adjacent to rivers, wetlands, and larger publicly accessible natural areas where park users can build more confidence in outdoor/adventure recreation.
• Safe slow-moving water access, climbing walls, interesting hiking trails that do not venture too far from town, and interpretive signage could enhance the front country experience. Parks that feature water access such as Russ Garaman, Emily Stevens, and even Mike Yokel Park, can allow less experienced, older, and younger people to interact with water in a more controlled manner.
• Parks like Baux Park, which connect to larger networks, can become gateways to the mountains and forest.
• Improved signage and descriptions of hiking trails/loops could help get more people comfortable with travel in mountainous areas. North Park, Karn’s Meadow, and Valley Springs can provide wildlife viewing opportunities.
• Pump tracks can be valuable amenities for developing mountain biking skills.
• Nature trails, boardwalks, and winter recreation routes should be maintained, enhanced, and created for various skill/experience levels.

After-school Programming
After school programs and services for children were provided as examples of programming overlaps in the community. The Department has existing partnerships with the school district and seems to be the “go to” service provider within the community for after school programs and services for children; providing expansive programming for children through grade eight as well as summer time programming. The Department may be the most appropriate provider of this service because of its current position in the market. The Department needs to consider the need for after-school programming in the planning of expansion of the recreation center.

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21 Outdoor Recreation Participation Topline Report 2016
Divesting from these services could create more gaps in the market by trying to rely on alternative providers to take on more of the market share. This is not to say that the Department cannot develop deeper programming partnerships within the community to alleviate some of the growing pressures of such a large program, or that the Department could not transition partners into a larger role in the market. For example, deciding that the middle school age group is better served by the school district’s extracurricular activities, could transition the Department in to a larger supporting role.

**River Recreation Management and Programming**

The Department has taken over river access points in recent years, a more non-typical service for local agencies to provide. The Department has added a program position to focus on river recreation management and program development. Issues surrounding the drop-in sites include:

- Unclear communication on who currently operates the site (permits, enforcement, etc.)
- User conflicts (permitted and non-permitted use)
- Expectations of level of service:
  - Resources, liability, and the desired water access and uses must be considered.
  - Most river recreation requires users to have specific equipment and skills making it challenging for the Department to address the needs of users.
  - Enforcement of the regulations at these sites is challenging as they are relatively remote.

The Department currently has a River Management Plan in place, which covers many issues discovered in the information gathering phases. Since the operation of these sites is relatively new, it is expected that there will be operational challenges. To help with this transition, the Department should develop a communication strategy both on site, and via avenues like its website, social media, and through partners in the community.

**Evolving the Management of Water Access Points**

Currently, much of the river access along the Snake River takes place on federal land, specifically BLM, and the Department is in the process of making improvements to some of these properties, such as South Park Boat Ramp and Wilson Boat Ramp. Understanding the role the BLM tracts will play in the future of the system is also important, as many of these parcels are adjacent to the Snake River.

Though Snake River recreation is the most iconic form of water recreation in the county, several parks offer access to different water bodies from wetlands and ponds to tributaries such Flat Creek. These access points have the potential of providing safer and more controlled sites for public interaction with water.

**Nordic Trail Grooming**

The Department provides a large network of Nordic trails in the winter months providing high-quality recreation experiences to the community. The Department does a great job in responding to operational and maintenance issues on trails, but often receives complaints of user conflict and complaints regarding the amount and scheduling of groomed trails. This pulls the Department in multiple directions.
The intention of the Nordic trails is described in the Pathways Master Plan:

**Nordic (cross-country skiing and snowshoeing) trails are currently provided as a recreational program by grooming the shared-use paths and other rights-of-way for skating and track skiing. It is important to note that each winter use creates a different track in the snow, so skaters, track skiers, and snowshoers generally prefer to use separate or parallel tracks. These uses are currently recreational in nature (users drive from home to a trail to ski), but it is possible that the winter Pathways network could be expanded to allow more people to ski from home to other destinations, similar to the way the system is currently used for bicycling. A key issue for winter trail use is the designation of winter closure areas for wildlife. Winter trail use must be managed to avoid conflicts with these areas. The Pathways System is groomed for winter trail use at the following locations:**

- Cache Creek Trail
- Garaman & School Trails
- Van Gontard Trail
- Wilson Centennial Trail
- Emily’s Pond Levee
- Game Creek
- Teton Canyon (Alta)

According to the 2015 survey, 24 percent of respondents noted that the overall quality of Nordic trail grooming should receive the most attention in the short term (Figure 8), only second to overall quality of outdoor restrooms at 29 percent.

**Figure 8: 2015 Survey Results – Amenities to Receive the Most Attention in the Short-Term**
The Department should focus on areas identified in the Pathways Master Plan, prioritizing pathways that provide users direct transportation from neighborhoods to destinations (park, downtown, etc.), and create a communication strategy regarding the intention and schedule behind mixed-use Nordic trails.

**Collaboration and Partnerships**

As typical of public parks and recreation agencies, the Department finds itself providing many different types of services that require ongoing knowledge of resources within the community for meeting the needs of citizens for each type of service. While this is not wrong, it is creating a community reliance on the Department to provide more and more programs without an increase in resources. Many in the community, from councilpersons to alternative providers to users, expressed concern that the size of the service profile of the Department limited its ability to deliver its core services. Participants also felt that because the service profile was so large, there was an unnecessary level of duplication within programming.

Youth sports was identified by the public as an example of programming overlaps in the community. While these programs do have overlap that does not mean that the Department should not provide the program or service, but it should continue to evaluate the market and monitor for service duplication or gaps for specific target markets (age groups and skill levels). When looking at these specific areas, the Department should consider:

- An operational philosophy where youth sports are entry level programs such as camps or beginner/recreational leagues for younger age groups. Offering experiential opportunities for sports allows community members to try a sport.
- Youth sports being offered in partnership with community sports organizations by having them provide staffing for a program or camp.
- When a family decides that a more competitive atmosphere is desired as the child ages, they can move into the sports organizations service profile. This allows the Department to stay within its mission to provide opportunity and fill service gaps, while also supporting the growth of recreational services by alternative providers and reducing the need to provide services for every age category.

Similarly, the Department could look at similar partnerships with outdoor recreation providers in the community. For example, the Department could provide an entry-level experience on water, but rely on alternative providers to offer a higher experience level.

Corporate wellness programs were also identified as an opportunity for collaboration. Corporate wellness is a growing service; supported by organizations as a quality of life benefit to employees and by insurance providers as a cost reduction program. While the Department does not have a dedicated gym or drop-in fitness space, like free weights, it could offer ways to program team building experiences like leagues and programs. Developing these types of community partnerships could also lead to potential sponsorships, partnerships, or general advocacy in developing additional facilities and amenities.

For the longer term, the Department should conduct service assessments on a regular basis for programs and services currently provided, including a check against the mission of the Department, a market analysis to determine the strength of the Department’s position in providing the service, a financial assessment, and consideration of alternative providers of service. The results of each assessment will help assure a focus on the Department’s core services, if the Department should hold or advance its market position for each service, and if services which are duplicated or do not align with the mission of the organization should be considered for divestment or partnership opportunities.
A services assessment will indicate if there are underperforming youth programs that could be discontinued in favor of adult offerings, or if there are potential partnerships that could help with service delivery. If those are not possible, generally, public park and recreation agencies lean toward service to youth until facility availability can be improved.

**Opportunities**
With the majority of the population in the Department’s service area being above the age of 20 according to the demographics report, it should consider new opportunities to engage adult populations. This could be through expanded marketing efforts to promote current opportunities, or by developing new programs geared toward the adult target market.

Without dedicated space to provide these types of services, it is a challenge for the Department to evolve and expand its programming. Opportunities to expand the service profile include:
- Developing community partnerships with alternate providers to minimize service gaps.
- Providing such program opportunities as fitness, outdoor education, and arts/culture.
- Further utilizing park space to provide programs. This could come in multiple forms including:
  - Providing more group classes in the park system
  - Developing interactive art/structures into the park with nature play opportunities
  - Developing an interpretive signage program through the parks, trails, and open space system
- Furthering community partnerships and collaboration where the Department acts in a supporting role for another provider in the community.

**Policies and Procedures**
The Department has several policies and related procedures that have been highlighted as issues during this process. Issues arise due to concerns about sustainability.

**Figure 9: Concepts of Sustainability**

![Concepts of Sustainability](image)
“Sustainability” is a very popular and perhaps overused word these days. Often, the users have in mind only one of the three basic elements of sustainability as shown in Figure 9 (Financial or Economic, Environmental, and Social or Recreational) making it very challenging to come to any kind of consensus when others may be focusing on one of the other elements. In order to manage the system of parks and recreation, economic, environmental, and social sustainability must be balanced. The financial resources must be adequate to maintain the system, facility, or program into the future; the environment that we love so dearly, or a facility cannot be “loved to death,” and the people must be allowed appropriate use of the system to properly connect to and understand the value represented, creating stewardship while promoting the other benefits of physical activity and mental/emotional engagement. When all three are attended to, a dynamic, yet sustainable system is possible.

Policies and procedures must support a sustainable system.

Cost Recovery Philosophy and Policy
The Department currently has a cost recovery model in place that is based on the Pyramid Methodology. Its purpose is:

“To establish a policy whereby the department can maintain organizational financial sustainability, transparency, and programming equality and maintain accessible and quality recreational and leisure programs for the community that supports the department’s vision, mission, and core values.”

The Pyramid Methodology is an industry best practice in use across the United States. It attempts to match services and programs with the market place, considering the benefit to the community or the individual as a filter to determine the appropriate tax subsidy/fees and charges balance of each program. A consistent definition of direct costs for each service, including any allocation of indirect costs must be in place to apply the methodology.

Direct Costs
Refer to materials, labor and expenses related to the production of a specific program. Examples include, basketballs, uniforms, referee expenses, etc.

Indirect Costs
Other costs such as administrative expenses, utilities, and in some cases facility use. Examples include use of department owned facilities, front desk staffing costs, field/park maintenance costs.

Subsidy
It includes general funding sources such as sales taxes or other taxing mechanisms that financially support operations and maintenance of programs and services. Subsidy dollars provide for service costs that are not recovered by either user fees or other forms of alternate funding.
The policy establishes tiers and cost recovery targets aligned with a benefits filter. Current policy calls for:

**COMMUNITY Benefit** 0-25% cost recovery
- Programs that benefit the community as a whole. These services may provide safety, address social needs, and enhance the quality of life for residents.
- This tier includes Senior Programs

**COMMUNITY/Individual Benefit** 25% -50% cost recovery
- Programs that promote individual physical and mental well-being for populations that are generally identified as needing financial assistance such as children and seniors. These programs may also promote skill development.
- This tier includes All Ages Special Events, After School Care, and Middle School After School

**INDIVIDUAL/Community Benefit** 50% -75% cost recovery
- Programs that have a highly individual benefit and an underlying community benefit. These programs may promote individual physical and mental well-being but also represent specialized or individualized services.
- This tier includes Youth Sports and Youth Special Events

**MOSTLY INDIVIDUAL Benefit** 75%-100% cost recovery
- This level represents specialized services generally for specific groups and may have a competitive focus.
- This tier includes Camp Jackson, Youth Outdoor, Adult Outdoor*, Tennis, Races*, and Adult Sports*

**HIGHLY INDIVIDUAL Benefit** 100% * cost recovery
- Programs and services that have a profit potential, share market space or needed assets with the private sector or may fall outside the core mission of the agency.
- This tier includes Adult Outdoor*, Races*, and Adult Sports*

*Some programs categories will have specific programs that may fall into multiple categories, thus the reason some categories are duplicated. It will be the job of the programmer and program manager to identify the benefit category in which the specific program falls.
In the 2015 Citizen Survey, respondents were given the opportunity to indicate how they felt certain programs should be paid for using a combination of tax subsidy and fees and charges. **Figure 10** shows that respondents believe that senior programs, youth after school programs, and community special events should receive the most tax support, while fitness programs, running/cycling events, adult sports and instructional programs, building rental/reservations, and private lessons should receive the least tax support.

**Figure 10: Survey Respondent Beliefs Regarding Balance of Tax and Fees for Certain Programs and Services**

![Image of survey results]

On increases. Developed, assure targets expenses. The Fee Parks scholarship_DESTROYING a Memorial Costs on page 67.

The policy calls for a review every three to four years (when community surveys are completed), with a target for the next evaluation being 2019. At that time, the Department should:

- Consider using the results of the citizen survey above, and a citizen working group, representative of the larger community, to participate in a sorting exercise for the Department’s categories of service to provide input to help ensure that all are placed accurately on each tier.
- Critically analyze the definitions used for direct and indirect costs and, through review with programming staff, ensure that there is common understanding and consistent tracking, accounting for, and measurement of costs, and cost recovery. If definitions are found to be too vague, they should be strengthened with additional examples and tracking methods.
- Consider any needed adjustments to the cost recovery ranges of each tier to ensure that the Department can continue to offer services sustainably into the future.
- Along with an assessment of services, use the resetting of targets to determine the viability of programs and determine as the overall program evolves to meet citizen interests, so that less useful programs are retooled or removed from the service profile.

On a national level it is not uncommon as tax dollars continue to tighten, yet program desires are still very strong that the level of subsidy for programs is lessening and more “enterprise” activities are being developed, thereby allowing subsidy to be used where deemed most appropriate.

Other policies, intended for recognition or memorial purposes can contribute to or detract from cost recovery targets so should be reviewed regularly to assure they are set up in a sustainable manner.

**Naming Policy**
The Department has a naming policy to acknowledge contributions of at least 50 percent of the total cost of a park improvement and/or years of exceptional service to the Department that improved leisure opportunities for residents of Teton County. In an indirect way, this can be used to bolster cost recovery rates as it may free up tax dollars for operating purposes.

**Memorial Policy**
Costs of established memorial programs are reviewed annually according to the Department’s fees and charges policy. Cost is based on original purchase price, installation, cost of plaque, plaque installation, and a contingency for repair or replacement. The amount of contingency is established for each memorial program and deposited in a Heritage Trust Memorial Account.

**Fee Policy**
The Department has not been in the practice of increasing fees to keep up with inflationary increases in expenses. Hesitancy in raising fees can come from not having done so over a long period of time for fear of destroying a program, or from feeling that there must be something new to offer to justify a fee increase. The Department should consider incremental fees increases each year. Experience across the country has shown that smaller periodic increases are much more tolerable than less frequent larger increases.

**What about those who cannot afford to pay a fee?**
Options are always available for those with economic need. Agencies generally make provision through a scholarship policy and program. It is not a sustainable practice to keep fees artificially low in order to assure that all can afford to pay. Many residents are very capable of paying fees.
The Department may subsidize the cost recovery objective of services for persons with economic need or other targeted populations, as determined by policy of the City Council and County Commission, through tax-supported fee reductions, scholarships, grants, or other methods. The Council/Commission may also approve exceptional fees or fee waivers upon determination the fee arrangements will benefit the public interest.

Policies Regarding Access to Facilities and Services
The Department has a number of opportunities for which staff can reserve, schedule, and allow citizens and groups exclusive use of the Teton County/Jackson facilities in a fair and consistent manner that represents the mission and values of the organization, and provides equal opportunities for all user types and interests.

Aquatic Scheduling Policy
Department policy supports that aquatic facilities shall be reasonably accessible and available to the general public with public access/swim time as consistent and predictable as possible.

Prioritization of requests for use are in a descending order:
1. Teton County School District sanctioned athletic association aquatic practices and events
2. Teton County/Jackson Parks and Recreation Department programming and events
3. Teton County School District Learn to Swim Program
4. Non-profit youth swim teams/clubs
5. Non-profit all ages organizations or individuals

Upon a conflict of requested time/schedule or lack of available space the following guidelines apply:
- No one organization, club, or individual shall be scheduled greater than 12 hours per week of exclusive use.
- When more than one organization of a similar type and/or mission requests conflicting times, priority shall be given to the organization with the longest use tenure in the facility.
- When more than one organization of a dis-similar type or mission requests conflicting times, priority shall first be given to the organization providing new or unique opportunities to the community.

Fee policy for aquatic scheduling:
- Per Teton County, Town of Jackson, and Teton County School District agreement (Appendix G), Teton County School District programs shall be provided reasonable access to the facility at no in-direct cost. Teton County School District shall pay the Department direct costs, such as lifeguards, water safety instructors, etc.
- Organizations/Clubs/Teams outside of Teton County School District programs shall be responsible to pay exclusive use fees for both in-direct and direct cost. Fees are assessed per the Departments approved fee policy and schedule.
- Teton County/Jackson Parks and Recreation aquatic program participants shall be responsible for specific program fees which includes access to the aquatic facility for the participant only.
Demands on the indoor aquatic facility are outpacing the supply, especially when it comes to lap lanes. Over time, the School District has not increased its time allotment, but the time of use has shifted into the peak use time for the lap lanes, decreasing peak time by one and a half hours and creating an underused time period between 3:00 and 4:00 pm each weekday afternoon. The community swim team that began with just a one hour, three times per week, 10-12 week fall program has expanded to two and a half hours, five times per week, for 50 weeks of the year, an increase from 36 to 625 hours per year.

Unlike most other communities, the Teton County School District (TCSD) has no pools in the schools in Teton County, putting pressure on the recreation center pool to provide for this need. However, as the School District provided land on which the recreation center is built, through a separate document, (May 2013 - April 2015 agreement provided for analysis) the TCSD and the Department have agreed upon certain days and times of use during the school year when the TCSD has priority. At those times, the only costs that are charged to the District are direct costs for necessary lifeguards and instructors.

The community swim team is slightly exceeding the limit of 12 hours of use per week as the Department has responded to the pressure of serving this youth group in the County. This, along with the TCSD schedule allocation, has severely reduced the open swim opportunity for the general public.

While from a scheduling perspective, there are definitely conflicting desires for use of the pool during peak times (especially lap lanes), there is also an issue from a financial perspective. The financial goal for the recreation center was first envisioned at 50 percent cost recovery of operating expenses. In reality, actual performance was only 10-12 percent. This has been increased over time to a current measurement of 26 percent. As expectations for that cost recovery are maintained or increased, options are to raise fees or take away from the general program. This becomes a more complex issue of scheduling strategies combined with fee policies for the various users or user groups.

Until such time as aquatics facilities, and particularly lap lanes, can be expanded/increased, the Department needs to keep a tight rein on adherence to the parameters of the aquatic scheduling policy and prevent further encroachment into prime time. At such time that existing agreements can be renegotiated, in the interest of sustainable and fair operations for all residents, the number of hours and scheduling of hours for both the school district and the swim team should be pushed back out of prime time as much as possible.

**Field and Courts Use/Reservation Policy**

Current experience and trends suggest that diversification of sports will continue putting pressure on the existing field and court supply. Using the Aquatics Scheduling Policy as a model, a facility and field use/reservation policy should be developed to guide staff through a fair and consistent scheduling process. This will also serve to inform potential users regarding the supply and demand issue. The policy should address priority of users, conflicts, and fees.

Due to the number and types of potential user groups, the policy will have to identify eligibility requirements to qualify as a recognized user group. In addition, in order to be able to serve the growing number of sports and number of user groups, a provision prioritizing “in season” sports will be necessary, and sports seasons will need to be identified.
Funding

Through the Joint Powers Agreement (Appendix H), the Town and the County have sole and absolute discretion to appropriate funds for the continued functioning of the Department, and neither has an obligation to fund the Department. All expenditure and revenue transactions for the Department are accounted for in a Special Revenue Fund called the Parks and Recreation Fund. Each entity finances this Fund based on the percentage of the most current census data used by the State of Wyoming in making sales tax distributions to the Town and the County. Currently this is 55 percent by the County and 45 percent by the Town.

Tax support for the Department comes in the following manner:

- Town of Jackson – Sales tax is the primary source of funding from the Town. Currently, the first 4.25 percent goes to the Town’s General Fund and .75 percent is used for capital. The Town does not assess any of its eight-mill potential for Property Tax.
- Teton County – Sales Tax is the primary source of funding for the County. This is supplemented by Property Tax. Currently the County only assesses 9.154 of a potential 12 mills, which goes to the County’s General Fund. The County has the ability to assess an additional mill for a recreation district as part of its 12-mill limit.
- Teton County School District – A one mill property tax for a recreation district used to support Department provided afterschool programs, TCSD shared athletic field maintenance, and non-profit recreation outside the department.
- Lodging Tax Fund – 2 percent sales tax assists in funding the Department. Sixty percent (60%) of the tax goes to promotion, 30 percent goes to visitor impacts, and 10 percent goes to the general fund. Funding from this source is allocated annually at the discretion of elected officials. The amount allocated for the Department has ranged from $250K to $543K since 2015.

While actual numbers will fluctuate from year to year, these existing funding sources provide consistent tax revenue to the Department.

Department Budget

The annual operational expenditure of the Department is $5.5M. This is greater than six of eleven of the communities selected for comparison purposes as shown in Figure 11, and just above the average total of the combined data.
According to the NRPA Park Metrics report, agencies that serve communities between 20,000 and 49,000 residents report an average annual expenditure of approximately $2.8 million. The Department falls in the “upper quartile” of this data set. However, it is important to note that as a resort community, Teton County/Jackson can see upwards of 100,000 people per day in the summer tourist season, and 30,000 on a winter day. In the summer the Department is supporting four large events every weekend.

The Department’s annual capital budget of $586,000 falls below the average annual capital expenditure of reporting agencies.
**Funding Deficit**
The Department experiences a funding deficit primarily in capital repair and replacement. It has been on a building and expansion boom over the past 15 years, and as a result, capital repair liability continues to grow. While it is able to maintain currently, most of the improvements are less than 20 years old, and in the next 10 years significant funding will be required for upkeep. Over 50 miles of paved pathways have been constructed since 1998 and large capital overlay costs will begin on these facilities in the next 5-10 years.

The other funding deficit is through non-core service growth including such things as downtown restrooms, public right of ways or other government buildings. Often, the Department budget is evaluated as growing, but most is not driven by the Department or its users, but rather these other services that it maintains or supports.

**Funding Strategies**

**Prioritization Criteria**
Criteria for decision-making should include:
- Fit with mission and goals of the Department as expressed through the Comprehensive Plan, this Strategic Plan, and other planning documents
- Expressed needs of the community
- Community demographics
- Recreation Trends
- Urgency/Safety
- Funding opportunity
- Potential of partnership
- Operational efficiency

**Enterprise Fund for River Management**
An enterprise fund, or quasi-enterprise fund (may have a specified amount of tax support) establishes business units that are self-sustaining through fees and charges or may have a designated amount of tax support, if necessary. Debt service and all indirect costs could be allocated or attributed to enterprise fund. Any excess revenue generated is maintained by the fund for future needs and would not be used by another fund or department. This may be an ideal strategy for the river management program.

**Enhance Merchandise for Resale at the Recreation Center**
The Department currently sells recreation center related items including such things as pickleball paddles, swim suits, and goggles, etc. This could be expanded to include convenience items such as sun screen, lip balm, small towels, and logo items such as unique tee shirts, quality water bottles and other such one of a kind items. Consideration could be made for partnering with a local business or the Chamber of Commerce to sell items on consignment.

**Potential New Funding Strategies**
Other potential strategies examined in Table 9 include funding sources that the Department could consider for additional funding of capital and operational expenditures. Each opportunity is placed in a matrix which looks at the relative impact to the Department, both financially and operationally.
Table 9: Potential New Funding Strategies

<table>
<thead>
<tr>
<th>Funding Strategy</th>
<th>Revenue Impact</th>
<th>Operational Impact</th>
<th>Opportunity within Current Operations</th>
<th>Creation of New Policy/Organization</th>
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<td><strong>Primarily Operations</strong></td>
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<td>Enterprise Funds</td>
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<td>Volunteer/In-kind Programs</td>
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</table>
The most logical opportunities in this matrix are strategies that require minimal impact to the operations of the organization and fit within the current policy strategies. These strategies could help the Department realize revenues in which the market is willing to invest, but are not expressed as desires. These opportunities include:

- Flexible user fees
- Parking fees
- Product sales
- Shared purchasing

Opportunities that would help the Department realize large revenue gains, but would require additional staff time for the research, education, and communication with the community include:

- Revenue bonds
- Capital improvement fees
- Maintenance endowments

Similar to the revenue sources above, this matrix also includes larger partnership opportunities and gift/grant opportunities. These opportunities often take additional staff; for example, a development officer or a grant writer, to realize the largest impact within the community.

**User Fees**

The Department is supported in part by user fees primarily for facility admissions, program registration, and facility rentals.

Parks and recreation services are varied and make up a lot of smaller “businesses” that each have their unique place in the market and appeal to the population in myriad ways. One of the goals of this plan is to initiate and sustain practices and examine policy and rules that affect overall desired outcomes of a healthy and vibrant community.

Although fee adjustments may be necessary, the interest is not to simply generate new revenues through fees, but to ensure a sustainable system into the future by using tax revenues and fees in the most appropriate ways, supplemented where possible by grants, donations, partnerships, and other sources of alternative revenues. Paying taxes supports “core services,” whereas fees and charges account for activities and services that benefit individuals.

**Citizen Survey**

Residents have weighed in on fees over time:

- In the 2005 citizen survey, only 9 percent of residents indicated “fees are too high,” as a barrier to participation. This decreased in 2012 to only 8 percent.
- In 2012, “fees charged for the class” was identified as the top reason why households have participated the Department’s programs and activities by 49 percent of respondents.
- In 2012, 58 percent of respondents said other existing health and fitness facilities in the community did not meet their needs because “fees were too high.”

The 2015 Survey questions were asked in a different way, but offered the following insight:

- Seventy-six percent (76%) of respondent households were somewhat or very satisfied with the overall value of entrance fees for the recreation center.
• Fees charged for the value received was in the top four choices for the program services that are the most important to the household’s enjoyment of the programs, as selected as one of the top three choices of respondents.

Trends and Best Practices
Pricing trends and best practices do incorporate a cost recovery philosophy based on who is benefiting from the service and the use of pricing by peak, off-peak, and off-season rates.

Comparative Analysis
As shown in the matrix in Table 10, the Department’s fees tend to be lower than the reporting communities. While this does not dictate whether the Department should raise its fees, as we do not have an understanding of those agencies’ fee philosophies, it does provide another perspective by which to evaluate.

Fee Opportunities
There may be an opportunity to further develop the Department’s pricing strategy that reflects:
• Its cost recovery policy, an underlying philosophy and intent to share the cost of providing services between taxes and fees
• Opinion of resident households regarding how they view the benefits of particular programs
• Comparison with other agencies
• Strategies such as peak and off-peak pricing, or season and off-season pricing

Particular fee recommendations for adjustment include:
• Cost per swim lane per hour – incrementally increase from $3.75 to $7.00 per hour over the next several years
• Cost per athletic field per hour – incrementally increase from $8.75 to $25.00 per hour over the next several years
• Cost per picnic shelter rental per hour – incrementally increase from $10.00 to $25 per hour over the next several years
• Cost for gymnasium per hour – incrementally increase from $15.00 to $50.00 per hour over the next several years

Table 10 shows a variety of fees reported by the benchmark communities.
### Table 10: Benchmarking Fee Matrix for Similar and Regional Communities

| Facility/Department | Teton County/Jackson, WY | Aspens, CO | Big Sky, MT | Campbell County, WY | Cody, WY | Glensheen Springs, CO | Golden, CO | Idaho Falls, ID | Ketchum, ID | Laramie, WY | Laramie, UT | Park City, UT | Rexburg, ID | Rock Springs, WY | Steamboat Springs, CO |
|---------------------|--------------------------|-----------|-------------|---------------------|---------|-----------------------|-----------|----------------------|-----------|-----------|-----------|---------------|-----------|---------------|----------------|----------------------|
| **Cost for swim lane per hour** | $3.75/$10.00 | $18 for profit, $9 non profit | n/a | n/a | n/a | $21 | $32.50 | n/a | n/a | $2.14 per hour | n/a | n/a | $13.00 | n/a | n/a | n/a |
| **Cost for athletic field per hour** | $8.75 | *ask parks | $0.00 | $95 per day | $45/field, $50/maintenance fee | $50.00 | $16.00 per hour | $20.00/hr. | $25.00 per hour | $40.00 per hour | $14.63 per hour | $25.00 per hour | $21-27 per game | $10.50 per hour | $7.00 for an adult (to swim laps) | $10.00 |
| **Cost of picnic shelter per hour** | varies on event | $25.00 per hour | $20.00/hr. | $200.00/hr. | $50.00 | $79.50 per day | $13.75 |
| **Cost of gymnasium per hour** | $36/ $30 | n/a | n/a | $60.00 per hour | $123.44 per hour | $400.00 per day | n/a | $65.00/hr. | $30.00 per hour | $10.00 per hour |

*Note: The fee for swim lane per hour is $21.00, which is the non-profit/resident cost. The fee for active field per hour is $40.00 for profit/non-local and $16.00 for resident/local. The fee for picnic shelter per hour is $25.00 per hour. The fee for gymnasium per hour is $60.00 per hour for resident/local and $123.44 per hour for non-local.*

**Lap lane rental (must also pay daily drop in fees or have valid membership):**
- Hourly resident/non-profit per lane: $10.00.
- Non-resident/profit rate per lane: $13.00.
- Exclusive use of lap lanes included.

**Fees:**
- Lap lane rental: $10.00 for six lanes.
- Lap lane rental for non-profit: $160.00.
- Lap lane rental for resident/profit: $210.00.

**Cost of athletic field per hour:**
- Full Court: $350/day; Whole Gym: $30/hr.
- Dance Room: $185/day

**Cost of gymnasium per hour:**
- Drop-in fee or membership to use gym Daily Fees - $3.50 Elem & under, $4 Jr. high/Sr. high, $6 adult, $13 family, free for seniors 62 and older - $300.00

**Non-profit/local 1/2 Court:**
- Resident/Non-profit: $40 per hour; 1/2 court: $70 per hour; Full Court: $325/day; Whole Gym: $30 per hour.
- Dance Room: $185/day

**Non-Resident/Profit:**
- $45 per hour; 1/2 court: $75 per hour; Full Court: $350/day; Whole Gym: $35 per hour.
- Dance Room: $185/day

**Cost of swim lane per hour:**
- Non-profit/local 1/2 Court: $7.50 per hour; ½ court: $17.50 per hour; Full Court: $30 per hour.

**Cost of athletic field per hour:**
- Non-profit/local 1/2 Court: $7.50 per hour; ½ court: $17.50 per hour; Full Court: $30 per hour.

**Cost of picnic shelter per hour:**
- Resident/Non-profit: $40 per hour; ½ court: $70 per hour; Full Court: $325/day; Whole Gym: $30 per hour.

**Cost of gymnasium per hour:**
- Resident/Non-profit: $40 per hour; ½ court: $70 per hour; Full Court: $325/day; Whole Gym: $30 per hour.

**Cost of athletic field per hour:**
- Non-profit/local 1/2 Court: $7.50 per hour; ½ court: $17.50 per hour; Full Court: $30 per hour.

**Cost of picnic shelter per hour:**
- Resident/Non-profit: $40 per hour; ½ court: $70 per hour; Full Court: $325/day; Whole Gym: $30 per hour.

**Cost of gymnasium per hour:**
- Resident/Non-profit: $40 per hour; ½ court: $70 per hour; Full Court: $325/day; Whole Gym: $30 per hour.

**Cost of swim lane per hour:**
- Non-profit/local 1/2 Court: $7.50 per hour; ½ court: $17.50 per hour; Full Court: $30 per hour.
Park Exaction

Park Development Exactions and Park Impact Fees
(1/1/15, Ord. 1074)

The Town of Jackson has established a parks and recreation program to ensure an ample supply of parks and recreation to satisfy the needs of residents and visitors. All residential subdivisions and re-subdivisions, including new and existing are required to dedicate lands for park development. The program is intended to ensure:

1. An adequate supply of parks and recreation facilities to satisfy the demand for such facilities resulting from new residential development.
2. An adequate supply of open space to preserve and enhance the rural character of the County as a critical asset contributing to a high quality of life for residents and visitors.
3. Preservation of open space in certain areas to protect wildlife habitat, ranching, public lands, and scenic road corridors.
4. Parks and recreation facilities and open space are dedicated on a schedule to coincide with the demand for such facilities and land generated by new residential development.
5. Land dedicated for parks/recreation/open space will remain committed to such uses and not be used for other purposes.

These development exaction standards are based upon consideration of the Jackson/Teton County Comprehensive Plan and Pathways Master Plan and equate to a ratio of 9 acres for every 1,000 residents of a proposed subdivision, and must consist of land in a location selected by the Town Council. Number of residents is based on a pre-determined number of persons per type of household unit. Cash-In-Lieu of Land Dedication for an amount equal to the current market value of the land required for dedication is allowed at the election of the Town Council.

It would strengthen the position of the Department in providing for park needs to ensure through regulatory requirement that lands within the following areas shall not be accepted for parkland dedication:

- Private yards
- Public or private streets or rights-of-way not intended for park, open space, or trail-related purpose
- Open parking areas and driveways for dwellings not intended for park, open space, or trail-related purpose
- Streetscape or landscape buffers and median strips
- Major utility easements over 30 feet wide
- Oil and gas well sites and setbacks
- Storm water detention and water quality ponds greater than five feet deep with slopes greater than 5:1
- Mine shafts and associated setbacks
- Irrigation ditches and storm water channels

This is a common and effective approach for acquiring necessary park and open space land across the country. In order to maintain current land to population ratios, it is important to require the land dedication in appropriate places as growth is occurring, and as envisioned by this planning effort. Cash-In-Lieu should only be used when growth areas are already well served by the park system in the local geographic area, and that funding can then be used to support the impact on the greater system.
Park Impact Fees
Also in use across the country is the requirement for park impact fees in order to offset the demand placed on the system due to population growth. The fees are used for the development or improvement of dedicated or otherwise acquired park land to prevent the deterioration of the availability or quality of park land for the existing population. These funds must be separated from other funds and are subject to a timeframe in which the funds must be spent. The funds must be spent on improvements that will serve the development for which the fees are paid (but are not necessarily exclusive to that development) and be proportional to the new demand created. Further exploration of this mechanism can provide necessary capital funding for the development of the park system.

Specific Purpose Excise Tax
The Department utilizes a Special Purpose Excise Tax (SPET) for capital projects and built the recreation center in 1994 utilizing this fund through an additional one penny sales tax. The Town/County collects approximately $11 million a year and currently has $2.9 million for park employee housing and $2.4 million for recreation center improvements.

Revenue Bonds have been used to expedite funding collection from SPET.

Survey respondents have consistently reported how important the funding of Parks, Pathways, Open Space, and Recreation Services is compared to other priorities in Teton County/Jackson. Eighty-four percent (84%) of respondents in 2005 indicated these services were either somewhat or very important compared to Police, Fire, and Streets, and this number grew to 93 percent in 2012.

When asked how they would vote on a special purpose tax to fund the acquisition, improvement, and development of the types of parks, pathways, and recreation facilities that are most important to them and members of their households, the percentage of respondent households indicated they “would vote in favor” or “might vote in favor” rose from 66 to 82 percent.

Bolstered by this show of interest and support, in 2010 the Department went to the voters and received funding through a special purpose excise tax (SPET) for the design and engineering for expansion of the recreation center.

The Department could look at creating a special taxing district specific to parks and recreation funded by sales tax. Since the Department already operates as a joint venture between the City and the County, this opportunity seems good step if a dedicated revenue source is needed. On a smaller scale, the Department could look at special taxes for smaller or more specific operation, like park maintenance. Regardless of the scale of the district, significant resources will be required to research, educate, plan, and create a district such as this.

Recreation District Tax
A Recreation District Tax is a property tax that can be used for both capital and operations. One exists currently and is funded through the Teton County School District. The TCSD Recreation District helps fund the Departments’ after school program and pays 50 percent of the cost for use to maintain athletic fields on their property. The TCSD collects approximately .8 mills and can collect up to 1 mill. Teton County can also collect up to 1 mill for recreation, but it must come out of its maximum 12 mills. Currently the county collects approximately 9.154 mills.
Sponsorships/Partnerships
Municipal parks and recreation structures and delivery systems have changed, and more alternative methods of delivering services are emerging. Certain services are being contracted out, and cooperative agreements with non-profit groups and other public institutions are being developed. Newer partners include the health system, social services, the justice system, education, the corporate sector, and community service agencies. These partnerships reflect both a broader interpretation of the mandate of parks and recreation agencies and the increased willingness of other sectors to work together to address community issues.

The relationship with health agencies is vital in promoting wellness. The traditional relationship with education and the sharing of facilities through joint-use agreements is evolving into cooperative planning and programming aimed at addressing youth inactivity levels and community needs.

Trends
More agencies are partnering with private, public, and non-profit groups, with over 87 percent of parks and recreation agencies reporting partnering with another agency in 2016. Of these partnerships, nearly 3/5 were with local schools, and nearly 52 percent with local government agencies. The average level of cost recovery from public organizations nationwide was approximately 43 percent. More important than the percent of cost recovery is the focus on this business strategy in the public setting.

Creating and Maximizing Opportunity
The biggest opportunity for net revenue gain in is through sponsorships and partnerships, a form of partnering. The Department currently gains revenues from both, but does not have a written policy in place. Without a policy, sponsorships and partnerships are inconsistent and often favor one entity over the other. By formalizing these opportunities, the Department will not only be able to realize consistency in the value received but will also be able to seek out and market these opportunities for additional revenue.

The Department currently has a sponsorship program but does not actively pursue sponsorships. The Department receives gifts from private donors but does not actively seek out donors. Other related avenues include the development of gift catalogs and use of volunteers providing in-kind services.

Through the development of formalized comprehensive partnership and sponsorship policies, the Department can specifically address and manage requests it receives. The policy and procedure should articulate purposes, amounts, recognition, and approval processes, making it easier for individuals or groups to give to the Department. Sample/template sponsorship and partnership policies have been provided to the Department as part of this planning process.

Grants
The Department applies for grants through the Jackson Hole Community Foundation, and Wyoming Trails grants for trail grooming. It also receives grants from the TCSD Recreation District to assist with operations of the after-school program and field maintenance and has applied for the limited funding available through the Land and Water Conservation Fund.
Operational and Economic Stability

Core Services
Core services satisfy an agency’s values and vision, typically benefiting all community members, or are seen as essential to the lives of under-served populations. It is not necessary that an individual participate in a specific recreational or cultural activity, or even step into a park setting to receive benefit. Having a nice park and trail system with trees, open space, and recreational amenities available in the community adds to home values and a quality living environment and provides opportunity for partaking in activity, as well as contributes to clean air and provides relief from urban density. To achieve these and other outcomes, an agency invests its tax dollars in these core services.

Parks and recreation services provide value to the community as a whole in terms of economic, environmental, and social benefits. Tax dollars support these “core services.”

Beyond those benefits realized by all residents, the agency is also able to provide specific activities and services that benefit individuals. There are not adequate tax dollars to completely support this level of activity, and it is appropriate and common to charge at least minimally for these services.

Core Park Responsibilities
- Town Square Park
- Miller Park
- Emily’s Pond
- Owen Bircher Park
- Rangeview Park
- Powderhorn Park
- Mateosky Park-Tennis Courts/Field
- Snow King Park
- Baux Park
- Mike Yokel Park
- Karns Meadow Trail Head
- Karns Meadow Park
- Melody Ranch Trail Head
- Hardeman Park/Trail
- Garaman Park/Trail
- Smith’s Park/Open Space/Trail
- Southpark Landing
- Wilson Ramp
- Fall Creek River Park
- Valley Springs Park
- Alta Park/School Grounds
- May Park
- Golf and Tennis River Park
- Middle School Fields
- Alpine Athletic Fields
- North Athletic Fields
- High School Tennis Complex
- North Park
- High School Athletic Fields
- Stilson Park
- Teton Village Park
- Valley Springs Park
- Munger View Park
- Wilson Wetlands Trail
Community Facilities
- Managed Park Amenities – 20 playgrounds, shelters, courts, other improvements
- Open Space/natural parks +/- 150 acres
- Greenways – (along waterways, pathways/rest areas/trailheads) – 50 miles
- Athletic Facilities – 13
- Skate park
- Tennis Courts – 8
- Recreation Center – Indoor pools, gymnasium, activity room
- Undeveloped formal Parkland – +/- 25 acres
- Seasonal ice rinks – 3
- Winter ski trail grooming – 18 miles

In addition to mission-based responsibilities, the Department is charged with care of the following facilities. Although these may not meet the core mission of the Department of Parks and Recreation, they may be core services of the County and/or the Town. At some point in time, these services were assigned to the Department, presumably with budget to match. The concern here is that as expenses to provide the acceptable level of service increase over time, tax support revenue has to keep pace.
- Aspen Cemetery
- Public Restrooms (4 outside of the park system)
- Community Forestry – outside of parkland, (public lands, public buildings and right-of-ways)
- Public facility grounds/landscape – 35 facilities

Although it could make sense to transfer some of these responsibilities to another Department in the County or Town, it is more important to recognize these activities that are outside of mission of the Department need to be properly funded to cover increasing expenses so that service levels do not decrease for either these assignments or the other mission-based responsibilities of the Department.

Other responsibilities may not be “core services,” but are nonetheless “important services.” The issue here is not necessarily if the Department should provide these services, but how should the service be delivered. These services serve smaller populations within the community and can be provided through sponsorships, partnerships, or fees for service. The Equestrian Arena-Wilson is an example of this.

Programming Services
The Department is able to provide programming services, both pre-registered and drop-in, or through partnership, because of the tolerance for the use of alternative funding (other than tax support) that the services are able to attract. In a strict sense of “core services” most of these opportunities would not be considered “core,” yet they are very important to the community and may warrant some tax support. The extent to which these opportunities can be funded, makes it possible for them to be offered.

The Department’s Cost Recovery Policy discussed earlier provides the framework by which all services are categorized and set up for cost recovery targets. It is crucial that the Department not take on more than it can handle, and the ability to attract revenue to support activities actually makes them able to be offered. The services assessment process, which also uses cost recovery measurement as one aspect of the assessment helps ensure that the Department does not spread itself too thin resulting in mediocre service levels.
Level of Service Standards

One measure of the Department's level of service standard is how satisfied the residents of the Town and the County are with the Teton County/Jackson Parks and Recreation Department. Excluding the “Don't Know” responses, sixty-nine percent (69%) of respondents to the 2005 citizen survey indicated they were either somewhat or very satisfied with the overall value their household receives from the Department. This increased in the 2015 survey to eighty-one percent (81%) of respondents. For this same question, but using the data including the “don’t know” response, a comparison of the 2015 to responses across the country shows that Teton County/Jackson satisfaction is higher than the national averages.

Figure 13: Satisfaction Comparison with National Averages

![Table of Satisfaction Data]

From the big picture perspective, it appears that there is very strong satisfaction with the Department; however, breaking down to various aspects helps to see where areas of strength and concern may reside. Three operational issues addressed in the resident satisfaction question include maintenance of parks, condition of the recreation center, and maintenance of pathways. Table 11 and Table 12 track the trending data for these three areas.

Table 11: Operational Satisfaction 2005 & 2012 – Percent Somewhat and Very Satisfied

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2012</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance of Parks</td>
<td>83%</td>
<td>93%</td>
<td>↑</td>
</tr>
<tr>
<td>Condition of Recreation Center</td>
<td>69%</td>
<td>63%</td>
<td>↓</td>
</tr>
<tr>
<td>Maintenance of Pathways</td>
<td>Not asked</td>
<td>91%</td>
<td>↔</td>
</tr>
</tbody>
</table>

In 2012 the question was posed in a different way, asking respondents to indicate their three top items that they thought should receive the most attention from the Department over the next two years. The Department has reported the strain of trying to keep up with all of the expectations of the community and these two views together may be an indication of recognition that the Department is doing a great job with limited resources and increasing demands, but concern about the capacity to keep up with an increasing demand.
Organizational Structure

A combined County/Town Parks and Recreation Department is somewhat unique and comes with unique challenges, particularly related to level of service provision to both the urban and rural setting. The Department is fiscally responsible to both the County Commissioners and the Mayor and Town Council, and the relationship is solidified through a Joint Powers Agreement (Appendix H). Efforts of the Department are guided by a joint Parks and Recreation Advisory Board that gathers monthly in meetings open to the public. The Director manages the day-to-day affairs of the Department and is a direct report to the Teton County Commissioner’s Administrator. The Department functions as if it were department of the County following all County personnel, compensation, insurance, fiscal management, and audit policies.

The Department is otherwise organized in a traditional fashion with three functional management divisions including Recreation Programs, Recreation Center, and Parks. Full-time staff are supplemented with part-time staff.

The Department is greatly impacted by the housing crisis in Jackson that is also affecting other mountain resort towns. There are simply no viable rental options for seasonal workers, or even for full-time employees earning middle-class salaries, making it very difficult to fill positions. During the summer of 2017, the Town launched a summer-long pilot program to gauge the viability of a municipal campground that would give its seasonal workforce an affordable place to live. As a result, several parks and recreation employees were able to live in parking spots behind the recreation center, because the Department covered its own employees’ rent in the lot and provided a membership to the rec center, where they could shower.

Due to the size of the service profile of the Department, and the nature of a small community, staff are consistently pulled in many directions. All sources of input noted that while the Department meets a high standard, many were concerned that the organizational efficiency was not sustainable as the Department is asked to continue existing, and take on additional, responsibility.

While the Department is currently undergoing some reorganization efforts in order to maximize operational efficiency, it is not likely that the service profile will be reduced. Staff can begin a process to prioritize obligations to accomplish specific tasks. Regular services assessments should evaluate each service, from park maintenance to sports club field rentals, based on how each fits with the mission of the organization and within the market place. The goal of this exercise is to determine where staff should invest or divest their limited resources, discover organizational efficiencies, and guide policy decisions. To optimize the results of the assessment, the process should engage staff at all levels, the Advisory Board, Joint council members, and the community.

Table 12: Operational Satisfaction Issues – Percent of Respondents Who Indicated this Item is in Their Top Three Choices of Needing More Attention

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2015</th>
<th>2015 POSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance of Parks</td>
<td>26%</td>
<td>Not asked</td>
<td></td>
</tr>
<tr>
<td>Quality/Condition of Recreation Center</td>
<td>32%</td>
<td>34%</td>
<td>#1 of 21</td>
</tr>
<tr>
<td>Quality/Maintenance of Pathways</td>
<td>29%</td>
<td>24%</td>
<td>#2 of 21</td>
</tr>
</tbody>
</table>
Facilities Provided within the County
The Department provides and actively manages and programs the following components:

- Indoor
  - Community Center
- Outdoor
  - Parks – Active, passive, gateway, and community parks
  - Multi-use pathway network
  - River access and associated components

Maintenance
While the Department’s programming profile is generally in line with public demand, the trends report, and NRPA’s Park Metric report of most offered programs, the Department does offer a wide-range of services that are not typically found in like agencies. Most notably, the Department provides many services that would be traditionally found within a Public Works department like street-scaping, and landscaping responsibilities at municipal buildings and grounds.

This is neither right nor wrong, and similar to what is found of small communities with all-hands-on-deck cultures, but it does create a strain on the core services of the Department if increased expenses are not fully funded, or service level expectations decreased. This is especially true when peripheral services attribute to high maintenance costs.

In the wintertime, the Department’s maintenance focus and parkland use patterns change. Snow removal in and around parks and on the pathway network becomes a priority. Some areas are groomed for cross-country skiing. Several of the parks feature skating rinks during the winter.

Citizens identified trail maintenance and snow removal as high-quality. Aspects of these services are further described below:

- **Winter trail maintenance**: This is a large undertaking by the Department because of the need to provide trail access and connectivity as a form of mobility and transportation in the area. To alleviate some pressure on the Department, it is important to continue the collaboration with Community Pathways and Town Jackson Public Works to determine priority transportation connections, as distinguished from recreational pathways in the community.

- **Snow removal**: Trails and pathways maintenance aligns with the mission of the Department and the area receives considerable snowfall in the winter months. This is a good tradeoff for the reduction in need for mowing and other summer time tasks and allows the Department to spread its task load throughout the year ensuring a sustainable year-round work force, fundamental to the ability to provide services in this unique community.

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23 http://www.nrpa.org/publications-research/research-papers/agency-performance-review/programming/
While the service profile is not likely to change, the Department needs to communicate its impact on its delivery of services to the community. Most participants in the public process were either surprised by all of the Department’s responsibilities and/or felt that the Department provided a high quality of service with limited resources. Communicating the total impact to the community will help build advocacy and support for the Department moving forward. The Department could also look to share this responsibility by:

- Partnering with specialty groups and organizations to co-develop or share maintenance responsibilities at facilities
- Contracting or sharing maintenance responsibilities such as landscaping or snowplowing

**Marketing and Communication**

The Department should be commended for its marketing efforts to date. Even though many sources of input shared the sentiment that there are some gaps in communication, the Department is held with high regard in the community.

Although a good effort is put forth, marketing is inconsistent. Each recreation programmer has the responsibility to market and communicate their own services, with larger informational pieces being prepared and distributed by the administrative staff. These activities should continue in the short-term, but should transition to dedicated marketing staff tasked with ensuring all pieces of marketing material distributed by the Department share a consistent message, identity and branding. This transition is currently being evaluated.

A comparison of the citizen survey trend line from 2012-2015 for how households learn about programs and activities of the Department are illustrated in **Figure 14**. The newspaper continues in the number one position growing to 70 percent of respondents, followed by friends and neighbors/word of mouth holding steady at 62 percent. The Department website has gained significant ground overtaking recreation center materials.
Dedicated marketing staff should focus efforts toward developing the strategic marketing plan. Like a systems plan, a marketing plan should not and cannot happen through a patchwork approach. It needs to be developed strategically, and over time. To begin to develop this strategy, it should address the following key areas:

- **A consistent brand for the Department**
  The Department has a strong brand within the community, but needs to determine if that reputation is providing appropriate value to its users. For example, does each program, offering, or service extend or dilute the brand.

- **Goals for the marketing effort as a whole**
  These goals should be unique to the Department’s brand. One of the biggest mistakes made in marketing is not defining goals that promote the brand, story, and authenticity of an agency. Defining goals that are not unique to the Department will make it difficult to communicate its value to its users.

- **Target markets and segments**
  Defining the target markets that go deeper than “everyone.” Focusing efforts on market segments streamlines communication and allows the Department to communicate directly to a select group rather than having its messages muddled when trying to communicate with the community as a whole. It is important to note that target markets and segments can be external and internal. An example of external and internal target segments are:
  - External – specific neighborhoods, specific demographics, specific user groups
  - Internal – potential employees, current employees, existing/potential partnerships, other governmental departments

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**Figure 14: 2012-2015 Comparison of How Households Learn About Programs and Activities**

The chart shows the percentage of households learning about programs and activities through various means from 2012 to 2015. The chart includes categories such as newspapers, friends & neighbors, department websites, recreation center materials, information received from schools, radio, social media, information at department facilities, conversations with department staff, and other sources. The data shows a trend where newspapers are the most common source, followed by friends & neighbors and department websites.
• **Goals for each channel of communication**
  Marketing channels can be thought of as touch points the Department has with the community and/or target segments; internally and externally. Due to the nature of the Department, its marketing channels take on a wide-variety of forms, including:

  - Recreational programming
  - Events, festivals, and concerts
  - Environmental education and conservation
  - Level of service
  - Pricing
  - Social media, including the website
  - Staff benefits, including training
  - Customer service
  - Print media
  - Online media/video
  - Mobile applications
  - Online searches
  - Text
  - Email
  - Signage/wayfinding
  - Partnerships/agreement

Each channel, and subsequent goal, should be developed with specific target markets in mind. For example, Millennial populations should be engaged through fitness opportunities promoted through mobile applications.

• **Content guidelines for each channel**
  Content guidelines should be developed, so that messages consistently reinforce the brand, story, and goals of the marketing efforts.

• **Evaluation methods for marketing efforts**
  Lastly, evaluation methods should be based on the brand, segments, goals, and content that is unique to the area. To establish and reinforce the Department as an authentic brand it needs to focus on evaluating its own efforts. If efforts are evaluated based on other benchmarks, the Department may inaccurately conclude the success or failure of its effort.

As the marketing and management team goes through these steps, it should become clear where and how to invest resources, and areas from which they can divest. Several market segments were identified as “underserved” within the community. These included:

• Minority populations
• Working families
• Age-specific populations (young adult to active aging)

The Department provides many opportunities for these market segments, but it may not be well known in the community. Marketing and communication strategies specific to these groups may help the Department broaden the reach of the service profile, and boost participation by continuing to better understand the barriers to access in the system. Continued outreach will also allow the Department to evolve with its community and update the recommendations in this plan (and other site-specific efforts) in the following years.
ACTION PLAN

The purpose of this plan is to set a direction for the Department that allows it to budget for and prioritize projects within the system. Without a strategic direction in place, many opportunities have presented themselves as “priorities,” but are currently stalled because of a lack of prioritization criteria and multiple variables that change over time.

This plan attempts to prioritize these opportunities through their alignment with other planning documents, community needs/demand, opportunity, urgency, and operational efficiency. All of these opportunities should be considered as important. While circumstance will drive the realization of each opportunity, all of them should be considered a key piece in the development and growth of services offered by the Department.

While the action plan will set an initial priority and course for many of these projects, staff should evaluate each action step as it relates to the budget, and create annual work plan to accomplish tasks.

Ranking criteria that the consultant team used to categorize opportunities, include:

- Congruency with other planning documents including the Comprehensive Plan
- Public identification through the survey, and validation (or identification) through focus groups and the interviews
- Analysis of existing programs and services
- Analysis the current political and market environment
- Analysis of current funding opportunities or the ability to fund strategies
- Safety Issues/Mandated services such as ADA Inclusion Services
- Ability to generate revenue for the Department
- Ability to partner
- Potential impact (cost/benefit) to the Department and to the community
- Equitable investment support for all aspects of the Department’s responsibilities

These criteria should be analyzed on a yearly basis to ensure that an implementation strategy still fits the budget and evolving environment of the community.

Recommendations and Implementation Timeline

The following recommendations are drawn from the public input, inventory, level of service analysis, findings feedback, and all the information gathered during the strategic planning process with a primary focus on maintaining, sustaining, and improving parks, recreation, open space, and trails. All cost estimates are in 2017 figures where applicable. Most costs are dependent on the extent of the enhancements and improvements determined or known at this time. Timeframe to complete is designated as:

- Short-Term/Immediate (up to 2 years)
- Mid-Term (2-5 years)
- Long-Term (5-10 years)
## Capital Priorities

### TIER ONE (HIGH PRIORITY) – SHORT TERM/IMMEDIATE (UP TO 2 YEARS)

#### EXPAND RECREATION CENTER

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continue to improve Recreation Center in a phased approach</td>
<td>Staff planning and development</td>
<td>Phase 2 estimated cost - $13.5 million (gymnasium, classrooms, fitness)</td>
</tr>
<tr>
<td>Modernize and refresh existing facilities</td>
<td></td>
<td>Phase 3 estimated cost - $6.3 million (aquatics)</td>
</tr>
<tr>
<td>Increase overall capacity of the facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provide additional gymnasium space</td>
<td></td>
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</tr>
<tr>
<td>Provide health and fitness multi-use space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Re-configure site circulation and parking-King Street Extension</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### PARK SITE DEVELOPMENT

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Fields Master Planning</td>
<td>Staff planning and development</td>
<td>Stilson Site development estimated cost - $3-4 million (Cost estimates based on proposed master plan)</td>
</tr>
<tr>
<td>• Develop Stilson Property to accommodate athletic fields:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ Consolidating adult and general purpose athletic fields</td>
<td></td>
<td>High School site re-development</td>
</tr>
<tr>
<td>▪ Providing active agers park amenities</td>
<td></td>
<td>Estimated cost - tbd</td>
</tr>
<tr>
<td>▪ Developing a gateway to transit, trails, and river recreation</td>
<td></td>
<td>Budget sheet can be found in Appendix I</td>
</tr>
<tr>
<td>• TCSD High School Fields Re-development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ Re-purpose adult softball fields to consolidate youth baseball fields at this site</td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ In collaboration with TCSD, increase capacity for youth multi-purpose fields at this site</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Evaluate lawn in front of High School</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Evaluate un-developed land east of Tennis Courts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Consider land acquisition to increase youth multi-purpose athletic field capacity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop Off-leash dog park opportunities in east and west Jackson:</td>
<td></td>
<td>Site development estimated cost - $75,000 to $500,000 (Cost estimates based on regional comparison and dependent on amenities. Budget sheet can be found in Appendix I)</td>
</tr>
<tr>
<td>• Sites to consider are Phil Baux, the Fairgrounds, Wayne May, Mike Yokel.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Develop partnerships with local interest groups to co-develop sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop Accessibility Master Plan to serve as ADA transition Plan addressing:</td>
<td>Site and project dependent. Establish annual budget allotment</td>
<td></td>
</tr>
<tr>
<td>Park amenities</td>
<td></td>
<td></td>
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<tr>
<td>Facility Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennis Court re-evaluation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consider temporary or permanent conversion to pickleball</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### TIER TWO (MEDIUM PRIORITY) – (2-5 YEARS)

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
</tr>
</thead>
</table>
| Re-develop Phil Baux Park to become a gateway connections park:  
• Creating connections to the National Forest trail system  
• Developing a special event space to accommodate outdoor concerts/amphitheater  
• Incorporating outdoor alternative sports/opportunities:  
  ▪ Climbing  
  ▪ Skateboarding  
  ▪ Broomball  
  ▪ Inline skating  
  ▪ Nature play areas | Site development estimated cost - $400,000 to $550,000 (Cost estimates based on regional comparison and dependent on amenities. Budget sheet can be found in *Appendix I*) | |
| Complete Wayne May Park Development | Staff planning and development | |
| Complete Karns Meadow Park Master Plan to include:  
• Passive/Natural Park  
• Habitat and Resource Education  
• Public Access to Flat Creek  
• Interior soft Pedestrian Trails | Dependent on amenities. Estimates/ amenity include:  
Playground - $100-250k  
Natural Play Area - $40 – 150k  
Signage - $500/each  
Benches – $1,500/each | |
| Develop South Park Landing (west) base, prioritizing  
• Parking  
• Vehicle circulation  
• River bank restoration | | |
| BLM Parcel 9/10 Park Base Development  
• Determine appropriate site plans for each BLM parcel.  
• Evaluate the potential role of BLM parcels in the Parks system and conduct land-use planning studies on parcels to be acquired.  
It is important to note that determining an appropriate use does not imply development. | | |
Collaborate with Community Pathways to ensure continued development and connectivity of trails and pathways to parks and recreation facilities

Balance conservation and development, focusing on developing the Town Core while providing gateways and passive opportunities throughout the system.

Partner with ____________ to develop public art in parks policy and procedure. Selection and approval criteria should be developed through the Advisory Board.

Develop more unstructured or natural play areas – Rangeview Park and May Park hold potential for a pilot of this type of play area.

<table>
<thead>
<tr>
<th>TIER THREE (LOW PRIORITY) – LONG TERM (5-10 YEARS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PARK SITE DEVELOPMENT</td>
</tr>
<tr>
<td><strong>Actions</strong></td>
</tr>
<tr>
<td>Develop Teton Village Park including:</td>
</tr>
<tr>
<td>• 3+ acre “community/neighborhood” type park. Site should include:</td>
</tr>
<tr>
<td>▪ Playground</td>
</tr>
<tr>
<td>▪ Shelter</td>
</tr>
<tr>
<td>▪ Non-programmed play areas</td>
</tr>
<tr>
<td>▪ Multi-purpose turf athletic fields</td>
</tr>
<tr>
<td>Pursue land acquisition for Hog Island/Hoback Neighborhood Park through the exaction process. Park area should be classified as a “community/neighborhood” type park. Site should include:</td>
</tr>
<tr>
<td>• Playground</td>
</tr>
<tr>
<td>• Shelter</td>
</tr>
<tr>
<td>Area should also be considered for joint development with the school district of multi-use athletic field.</td>
</tr>
<tr>
<td>Determine feasibility for water play features at parks (ex. splash pad) – There are several sites in the system where this type of amenity might be appropriate. Of chief concern should be transportation and proximity to other children-related facilities and activities.</td>
</tr>
</tbody>
</table>
# Programming and Service Priorities

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
</table>
| **Develop Health and Wellness Programming to include:**  
  - Fitness in parks  
  - Health education  
  - Community and corporate wellness  
  - Support and assist systems of care organizations and programs  
  Promote young adult, adult, and active aging programming through targeted marketing efforts.  
  - Develop more nature-based programming (classes, trips, and events).  
  - Develop more fitness opportunities (indoor/outdoor classes) and through partnerships with alternative providers.  
  - Develop more arts and culture programming (classes, trips, and events). | Staff planning and development | On-going |
| **Develop Active Agers Programming**  
  - Identify additional indoor/outdoor opportunities for Pickleball through programming (tournaments), scheduling, and development.  
  - Program “adventure” or camp type opportunities for adults.  
  - Program integrated fitness opportunities. | | |
<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Continue Program Diversification and Community Outreach</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Continue to develop multi-cultural opportunities for engagement and inclusion of the Latino population and others.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Evaluate scheduling of programs to accommodate parents/children/multi-generations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Continue to partner with alternate providers to strengthen the offerings within the community.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Continue to identify underserved populations and the barriers of entry that exist within the system; with a particular attention to low and moderate-income populations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Evaluate the fit of programs through a services assessment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Adaptive/Accessible Programming</strong></td>
<td>Staff planning and development</td>
<td>Ongoing</td>
</tr>
<tr>
<td>• Develop and communicate opportunities for inclusive services within current programming.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ Dedicate staff liaison to coordinate efforts with programmers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Address program access through marketing materials and registrations system.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provide programming opportunities for seniors, special needs, and through Special Olympics activities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Continue to Build Partnerships and Collaborative Programming with Alternative Providers:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• St. John’s Hospital</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Teton County Health Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Teton County Library</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Teton County Senior Center</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Teton County School District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Public/Private Partnerships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Snake River Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Friends of Pathways</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Jackson Hole Public Art</td>
<td></td>
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</tr>
</tbody>
</table>
## Policy and Procedure

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Review and Update Cost Recovery Policy</strong></td>
<td></td>
<td>2019</td>
</tr>
<tr>
<td>- Utilizing Parks and Recreation Advisory Board input for sorting during the next review of policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Analyze definitions for direct and indirect costs, and ensure that consistency, accurate tracking, and measurements are in place.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Consider adjustments to the ranges in each tier, if necessary.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- In conjunction with services assessment, determine the viability and effectiveness of programs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Recreation Center Access/Use Policy</strong></td>
<td>Staff planning and development</td>
<td>On-going</td>
</tr>
<tr>
<td>- Maximize use of the Aquatics Scheduling Policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Develop an operations philosophy to balance the facility use at the Recreation Center, shifting group use away from prime time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Field Scheduling Policy</strong></td>
<td></td>
<td>Immediate</td>
</tr>
<tr>
<td>- Use aquatics scheduling policy as a model to create field/facility scheduling policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>River Access Maintenance Policy</strong></td>
<td></td>
<td>Immediate</td>
</tr>
<tr>
<td>- Develop communication strategy regarding current maintenance and management policies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Re-evaluate Management Plan prior to expiration.</td>
<td></td>
<td></td>
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</tbody>
</table>
## Funding

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Recreation Center User Fees (Update)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Develop user fee strategy that reflects update to cost recovery goals and objectives.</td>
<td></td>
<td>With Cost Recovery update cycle/Immediate</td>
</tr>
<tr>
<td>- Incrementally increase per hour pricing for swim lanes, the gymnasium, etc. Effort should take several years.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Park Facility Fees (Update)</strong></td>
<td>Staff planning and development</td>
<td>Immediate</td>
</tr>
<tr>
<td>- Develop user fee strategy that reflects update to cost recovery goals and objectives.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Incrementally increase per hour pricing for athletic fields, shelter rentals, etc. Effort should take several years.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sponsorship/Partnership Policy</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Develop more comprehensive sponsorship and partnership policies to encourage these strategies and allow for an easier communication and implementation process.</td>
<td></td>
<td>Immediate</td>
</tr>
<tr>
<td>- Specifically address gift giving/donations within the policy to encourage, provide clarity, establish process, articulate selection criteria and approval mechanism.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Park Exaction Land Development Regulation Update and Text Amendment</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Add land acceptance criteria to existing language</td>
<td></td>
<td>Immediate</td>
</tr>
<tr>
<td>- Assure adherence to valuation of fees-in-lieu calculation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Explore park impact fee to generate park development funding</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Operations

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
</table>
| **River Access Maintenance**  
  - Develop a community education strategy for the river access points operated by the Department.  
  - Evaluate the effectiveness of the current Management Plan on a yearly basis. | | Immediate |
| **Town of Jackson Downtown Public Restrooms**  
  - Track the true cost of service and ensure proper funding to keep up with increasing expenses. | | On-going |
| **Town/County Non-Park Grounds Maintenance Services**  
  - Conduct a services assessment to determine potential of contracting/partnership services, based on ability to continue current levels of service.  
  - Develop communication strategy to show impact of service.  
  - Continue to develop partnerships.  
  - Evaluate contracting some services where financial savings is possible. | | Ongoing/Immediate |
| **Develop a new Marketing and Communications Strategy that includes:**  
  - Consolidate marketing efforts to dedicated staff member to ensure consistency.  
  - Develop a strategic marketing plan that shifts efforts toward story-telling, relationship building, and connection, and away from program/logistic focused marketing.  
  - Provide more communication about partners and programs.  
<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continue to evaluate the action plan provided in this Strategic Plan and how opportunities fit into the long term priorities on an annual basis. Criteria for decision making should include:</td>
<td></td>
<td>On-going</td>
</tr>
<tr>
<td>• Fit with multiple planning documents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Community needs/demand</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Funding and opportunity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Urgency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Operational efficiency</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Appendix A - Teton County Demographics

Highlights

Demographic makeup and population projections are relevant to the provision of park and recreation services especially as changes are expected over this planning period.

Table 13: 2016 Teton County General Demographic Profile

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>22,547</td>
</tr>
<tr>
<td>Median Age</td>
<td>38.6</td>
</tr>
<tr>
<td>Households</td>
<td>9,482</td>
</tr>
<tr>
<td>Median Household Income</td>
<td>$74,301</td>
</tr>
</tbody>
</table>

Source: Esri Business Analyst

Key general demographic comparisons

- The population is expected to increase steadily to 23,839 in 2021, (1.3%).
  - The population of residents ages 25-34 decreased significantly between 2010 and 2016, and is projected to continue to decline at a less drastic rate through 2021. Despite the decline, this age cohort is projected to remain the largest in the county.
  - The populations of the residents in the 15-24 and 45-54 year cohorts is projected to continue to decline from 2010 levels through 2021.
  - The population of older age cohorts (residents over age 65) are all projected to increase at a steady rate through 2021.
- The median age of Teton County residents was 38.6 years, higher than the median age for Wyoming (37.7) and higher than the United States (38).
- The percent of owner occupied compared to renter occupied housing units is remaining steady at approximately 54 percent through 2021.
- The median household income of Teton County households in 2016 was estimated to be $74,301. This was significantly higher than the statewide ($56,893) and national ($54,149) median household incomes.
In 2016 the majority (66.7%) of Teton County’s population belonged to Baby Boomers, Millennials, and Generation Z. However, Generation X was the largest single generational group (29 percent of the 2016 population), which coincides with the population’s median age of 38.6 years.

**Full Report**

Gaining a clear understanding of the existing and projected demographic character of Teton County is an important component of the planning process. By analyzing population data, trends emerge that can inform decision making and resource allocation strategies for the provision of public parks, recreation amenities and open spaces. Key areas were analyzed to identify current demographic statistics and trends that can impact the planning and provision of public parks and recreation services in Teton County. Community characteristics analyzed and discussed consist of:

- Existing and projected total population
- Age and gender distribution
- Ethnic/Racial diversity
- Household and housing information
- Educational attainment
Additionally, current demographics were analyzed for neighboring Teton County, Idaho and the “Star Valley Area” of Lincoln County, Wyoming. For the purposes of this study, the Star Valley Area was defined as the northern 926 square miles of Lincoln County, from its northern border with Teton County, WY to southern terminus, set as an east-west line coinciding with Route 236 in Afton.

This demographic profile was completed using the most updated information available (as of May 2017) from Esri Business Analyst, the U.S. Census Bureau, and Census Bureau’s American Community Survey. A summary of demographic highlights is noted in Table 14 below, followed by a more detailed analysis.

Table 14: 2016 Teton County General Demographic Profile

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
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</tr>
<tr>
<td>Median Household Income</td>
<td>$74,301</td>
</tr>
</tbody>
</table>

Source: Esri Business Analyst
Key general demographic comparisons – Local, State, and National:

- The median age of Teton County residents was 38.6 years, higher than the median age for Wyoming (37.7) and higher than the United States (38).
- The median household income of Teton County households in 2016 was estimated to be $74,301. This was significantly higher than the statewide ($56,893) and national ($54,149) median household incomes.
- Teton County’s 2016 population was roughly evenly split between male (52.3%) and female (47.7 %) residents. The populations of Wyoming and the United States were also approximately evenly divided between the sexes.

Teton County Population and Demographic Trends

Population Projections

Although future population growth cannot be predicted with certainty, it is helpful to make growth projections for planning purposes. Figure 15 contains actual population figures based on the 2000 and 2010 U.S. Census for Teton County and Esri population estimates for 2016 and projections for 2021.

Figure 15: Teton County Population Growth Trend

![Teton County Population Growth Trend](chart)

Source: U.S. Census Bureau and Esri Business Analyst

Population Age Distribution

The existing and projected population of different age groups, or cohorts, within Teton County is illustrated in the following series of figures. Figure 16 illustrates the 2010 Census recorded population, 2016 estimated population, and 2021 projected populations. Figure 17 provides an estimated breakdown of the 2016 population by age cohort.

Several key age characteristics of the existing and projected Teton County population include:

- The population of residents ages 25-34 decreased significantly between 2010 and 2016, and is projected to continue to decline at a less drastic rate through 2021. Despite the decline, this age cohort is projected to remain the largest in the county.
- The populations of the residents in the 15-24 and 45-54 year cohorts is projected to continue to decline from 2010 levels through 2021.
The population of older age cohorts (residents over age 65) are all projected to increase at a steady rate through 2021.

**Figure 16: Population Age Distribution in Teton County, 2010 to 2021**

![Bar chart showing population age distribution from 2010 to 2021]

**Source:** U.S. Census Bureau and Esri Business Analyst

**Figure 17: 2016 Estimated Population Breakdown by Age Cohort**

![Pie chart showing 2016 population breakdown by age cohort]

**Source:** Esri Business Analyst
Race/Ethnicity
Prior to reviewing demographic data pertaining to a population’s racial and ethnic character, it is important to note how the U.S. Census classifies and counts individuals who identify as of Hispanic. The Census notes that Hispanic origin can be viewed as the heritage, nationality, lineage, or country of birth of the person or the person’s parents or ancestors before arrival in the United States. In the U.S. Census, people who identify as Hispanic, Latino, or Spanish may be any race and are included in all of the race categories. All race categories add up to 100 percent of the population, the indication of Hispanic origin is a different view of the population and is not considered a race.

Figure 18 reflects the approximate racial/ethnic population distribution for Teton County based on the 2010 U.S. Census, Esri estimate for 2016, and Esri population projection for 2021. The population has been predominantly Caucasian; however, the population of this group is expected to decline by 3.2 percent from 2010 to 2021. The number of residents identifying as being of two or more races is projected to increase by slightly less than one percent from 2016 to 2021. The population of residents who also identify as of Hispanic origin is projected to increase by 1.1 percent by 2021.

**Figure 18: Teton County Racial and Ethnic Character 2010 and 2016**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2016</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>88.4</td>
<td>87</td>
<td>85.2</td>
</tr>
<tr>
<td>African American</td>
<td>0.2</td>
<td>0.3</td>
<td>0.4</td>
</tr>
<tr>
<td>Native American</td>
<td>0.5</td>
<td>0.6</td>
<td>0.6</td>
</tr>
<tr>
<td>Asian</td>
<td>1.1</td>
<td>1.5</td>
<td>1.8</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>8.1</td>
<td>8.4</td>
<td>9.3</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>1.6</td>
<td>2.2</td>
<td>2.6</td>
</tr>
<tr>
<td>Hispanic Origin</td>
<td>15</td>
<td>15.7</td>
<td>16.8</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau and Esri Business Analyst
Figure 19: County and State Population Racial and Ethnic Character Comparison 2016

Figure 19 compares the 2016 racial and ethnic composition of the Teton County and State of Wyoming. Although generally similar, the composition of Teton County’s population was estimated to consist of five percent more residents who identified as being of two or more races, and over five percent more residents who also identified as being of Hispanic origin.

Educational Attainment
The 2016 population of adult residents (ages 25+) of Teton County was significantly better educated when compared to peers statewide. As illustrated in Figure 20, over half (54.9%) of adults in Teton County had earned a Bachelor’s degree or higher, whereas the exact same majority percentage (54.9%) of the statewide adult population had earned high school degrees and had some college experience, but no degree.

Figure 20: Educational Attainment of Adults (ages 25+) – Teton County and State of Wyoming

Source: Esri Business Analyst
According to a Census study, education levels had more effect on earnings over a 40-year span in the workforce than any other demographic factor, such as gender, race, and ethnic origin. Nearly 40 percent of adults in Teton County had earned a college degree, and an additional 16 percent went on to receive graduate and/or professional degrees. In total, over half (54.9%) of adults in the county had received college degrees or higher. Results from the U.S. Census Bureau’s latest study on education and earnings for Teton County (2015), illustrated in Figure 21 highlights the correlation between education level and earnings. For example, adults with bachelor’s degree earned $40,583, where as adults with less than a high school level education earned $16,270; or only 40 percent of peers who graduated college.

Figure 21: Education and Earnings

Source: U.S. Census Bureau American Community Survey 2015

Household Information

As reflected in Table 15, the total number of housing units in the county has been, and projected to continue to increase through 2021. This growth coincides with growth in the number of households. In 2016 approximately 37 percent of households were owner occupied, 32 percent were renter occupied and 31 percent were vacant. This high rate of vacancy has persisted since at least 2010 and is projected to continue through 2021.

Table 15: Teton County Housing Inventory

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2016</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Housing Units</td>
<td>12,813</td>
<td>13,703</td>
<td>14,453</td>
</tr>
<tr>
<td>Number of Households</td>
<td>8,973</td>
<td>9,482</td>
<td>10,017</td>
</tr>
<tr>
<td>Owner Occupied Housing Units</td>
<td>5,083</td>
<td>5,072</td>
<td>5,385</td>
</tr>
<tr>
<td>Renter Occupied Housing Units</td>
<td>3,890</td>
<td>4,410</td>
<td>4,632</td>
</tr>
<tr>
<td>Vacant Housing Units</td>
<td>3,840</td>
<td>4,221</td>
<td>4,436</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau and Esri Business Analyst

Household Income
The most current data from Esri Business Analyst for 2016 illustrated in Figure 22, indicates that the median household income in Teton County was higher than that of the average household in Wyoming and the United States. The median household income in the county was $74,301. This was 23 percent higher than the median household income in Wyoming, and 27 percent greater than the national median household income. As previously highlighted in Figure 20 and Figure 21, the significantly higher educational levels and earning potential of the adult population (primary source of household income) of Teton County is likely to significantly contribute the higher median household income measured in the County (versus state and national median household income levels).

Figure 22: 2016 Median Household Income Comparison

![Figure 22: 2016 Median Household Income Comparison](image)

Source: Esri Business Analyst

Figure 23 illustrates the distribution of household median earnings in City of Teton County in 2016. Over 38 percent of household median income was over $100,000. Nearly half (49%) of households earned a median income of at least $75,000.
Figure 23: Distribution of Median Household Income in Teton County (2016)

Source: Esri Business Analyst

Demographic Comparisons

Summary characteristics for the populations of Teton County, Idaho and the Star Valley Area of Lincoln County, Wyoming were compiled and compared to those of Teton County, Wyoming.

Table 16: Demographic Comparisons – Teton County, WY and Selected Neighboring Areas

<table>
<thead>
<tr>
<th></th>
<th>Teton County, WY</th>
<th>Star Valley Area, WY</th>
<th>Teton County, ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>22,547</td>
<td>11,501</td>
<td>10,649</td>
</tr>
<tr>
<td>Median Age</td>
<td>38.6</td>
<td>38.6</td>
<td>34.4</td>
</tr>
<tr>
<td>Households</td>
<td>9,482</td>
<td>4,292</td>
<td>3,848</td>
</tr>
<tr>
<td>Housing Units</td>
<td>13,703</td>
<td>5,807</td>
<td>5,950</td>
</tr>
<tr>
<td>Median Household Income</td>
<td>$74,301</td>
<td>$59,970</td>
<td>$53,969</td>
</tr>
</tbody>
</table>

Source: Esri Business Analyst
Figure 24: Educational Attainment Comparison

Source: Esri Business Analyst

Figure 25: Race and Ethnic Character Comparison

Source: Esri Business Analyst
Appendix B - Regional Benchmarking Data

Benchmarking allows the comparison of certain attributes of the Department’s management of public spaces (parks, recreation, aquatics, and related services) with other similar communities. For this plan, benchmarking data was collected from: Aspen, CO; Golden, CO; Ketchum, ID; Rock Springs, WY; Campbell County, WY; Cody, WY; Steamboat Springs, CO; Park City, UT; Laramie, WY; Rexburg, ID; Big Sky Community Organization, MT; Logan, UT; Idaho Falls, ID; Glenwood Springs, CO.25

It is impossible to find exact comparable communities, because each has its own unique identity, its own way of conducting business, and differences in what populations it serves. It is important to keep in mind that while many park and recreation departments primarily serve their residents, others serve a large portion of non-residents.

Organizations typically do not count their assets or break down the expenditures of parks, trails, facilities, and maintenance the same way. Agencies also vary in terms of how they organize their departments and budgets. Additionally, field and facility usage varies by agency. It should also be noted that some of the information sent is incomplete. This being said, the benchmarking information presented here should be used as a catalyst for the Department to continue to research best practices for more specific areas when they are needed. Analysis on certain portions of the collected data is provided below.

Selected categories contain comparisons to NRPA’s Park Metrics (previously PRORAGIS); a national database for self-reported information on parks and recreation agencies of varying sizes.26

Benchmarking Data Sought

The communities were chosen primarily due to the perceived similarities with the County. Requested benchmarking data included:

- Population of service area
- Annual operations budget
- Average annual capital budget
- Miles of non-motorized paved pathways
- Total acres of parks
- Number of rectangular turf athletic fields
- Number of softball fields
- Number of playgrounds
- Number of off leash dog parks
- Number of tennis courts
- Number of pickle ball courts
- Number of FTE’s
- Cost for swim lane per hour
- Cost for athletic field per hour
- Cost of picnic shelter per hour
- Cost of gymnasium per hour
- Size of indoor fitness facility
- Included in the indoor fitness facility
- Size of indoor aquatic facility
- Size of indoor climbing space
- Size of indoor ice rink

25 Information was requested from approximately 25 communities.
26 More information can be found online at http://www.nrpa.org/publications-research/ParkMetrics.
Additionally, benchmarking data looks to weight pertinent data along with comparing against a “per thousand” population calculation in some cases in order to compare “apples to apples” within the various category. Analysis of selected budget items follow. Further comparison data is also provided in other sections of this report. For example, comparison data regarding the number of trails and softball fields are found in the capacities analysis portion of the document.

Though the reporting communities seem to be similar to the Department, it is difficult to find apples to apples comparisons without understanding the unique characteristics and operations within each organization. For example, while the Department seems to fall below the average in total acres of miles of trails provided, it is surrounded by alternate providers like the National Parks Service that provide additional assets to the community.
<table>
<thead>
<tr>
<th>Facility</th>
<th>Aspen Recreation Center</th>
<th>Ketchum Parks &amp; Recreation</th>
<th>Golden Community Center</th>
<th>Rock Springs Parks &amp; Recreation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population of service area</td>
<td>City of Aspen = 5,000. Surrounding area 25-30 thousand</td>
<td>2,000 - 20,000 (tourist influx)</td>
<td>18,867 (Planning Dept Uses 2010 Census Data)</td>
<td>30000 people</td>
</tr>
<tr>
<td>Annual operations budget</td>
<td>The Department budget is 4 million</td>
<td>$1,164,243.00</td>
<td>$11,747,033.00</td>
<td>$6,656,355 (10% lower than prev. FY)</td>
</tr>
<tr>
<td>Average annual capital budget</td>
<td>Varies from 100k - 1 million.</td>
<td>$332,110.00</td>
<td>$4,000,000.00</td>
<td>None for past several years due to economy</td>
</tr>
<tr>
<td>Miles of non-motorized paved pathways</td>
<td>*ask open space and trails division 6.35 miles</td>
<td>24 miles</td>
<td>2 miles</td>
<td></td>
</tr>
<tr>
<td>Total acres of parks</td>
<td>*contact parks 45 acres</td>
<td>253 acres</td>
<td>606 acres</td>
<td></td>
</tr>
<tr>
<td>Number of rectangular turf athletic fields</td>
<td>1 and 1 shared with high school</td>
<td>2 rectangular turf athletic fields</td>
<td>9 rectangular turf athletic fields</td>
<td>5 rectangular turf athletic fields</td>
</tr>
<tr>
<td>Number of softball fields</td>
<td>4 softball fields</td>
<td>2 softball fields</td>
<td>4 softball fields</td>
<td>9 softball fields</td>
</tr>
<tr>
<td>Number of playgrounds</td>
<td>*ask parks 3 playgrounds</td>
<td>15 playgrounds</td>
<td>24 playgrounds</td>
<td></td>
</tr>
<tr>
<td>Number of off leash dog parks</td>
<td>0 off leash dog parks</td>
<td>n/a (1 private property accessible to public)</td>
<td>3 off leash dog parks</td>
<td>1 off leash dog parks</td>
</tr>
<tr>
<td>Number of tennis courts</td>
<td>6 clay summer only, 1 hard court</td>
<td>4 tennis courts</td>
<td>5 tennis courts</td>
<td>4 total, 3 need renovation</td>
</tr>
<tr>
<td>Number of pickle ball courts</td>
<td>4 pickle ball courts</td>
<td>2 pickle ball courts</td>
<td>2 pickle ball courts</td>
<td>5 indoor, 1 outdoor</td>
</tr>
<tr>
<td>Number of FTE’s</td>
<td>20-30 FTE’s</td>
<td>6.25 FTE’s</td>
<td>42 FTE’s</td>
<td>37 FT, 118 PT and seasonal</td>
</tr>
<tr>
<td>Cost for swim lane per hour</td>
<td>18 for profit, 9 non profit</td>
<td>n/a</td>
<td>$9/lane - 6 lanes indoors and 8 outdoors</td>
<td>$7.00 for an adult (to swim laps)</td>
</tr>
<tr>
<td>Cost for athletic field per hour</td>
<td>*ask parks</td>
<td>$32.50</td>
<td>$25 per hour, $175 for 6 hours or more Line and drag is additional $20 per application per field Lights are additional $25 per hour per field 10 fields total</td>
<td>$21-27 per game</td>
</tr>
<tr>
<td>Cost of picnic shelter per hour</td>
<td>varies on event</td>
<td>$13.75 - $20.00 (min 4 hours)</td>
<td>$100-$650/hr</td>
<td>$30.00 per reservation</td>
</tr>
</tbody>
</table>

[https://cityofgolden.seamlessdocs.com/f/PavilionRentals](https://cityofgolden.seamlessdocs.com/f/PavilionRentals) for more information.
<table>
<thead>
<tr>
<th>Cost of gymnasium per hour</th>
<th>n/a</th>
<th>n/a</th>
<th>$35 per hour 1 court, 2 halves</th>
<th>$7.00 adult patron access for regular use; special event rentals @ $400/gym floor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size of indoor fitness facility</td>
<td>1800 sq ft</td>
<td>n/a</td>
<td>approx 3500 SF</td>
<td>Family Rec is 130,000 sq ft; Civic Center is 49,000 sq ft.</td>
</tr>
<tr>
<td>Included in the indoor fitness facility</td>
<td>fitness room, weight room (no free weights) cardio equipment</td>
<td>n/a</td>
<td>Free weights circuit training, fitness class rooms, gymnasium classes and track</td>
<td>free weights, circuit training, fitness class rooms, gyms, walking/running track, climbing wall, ice arena, swimming pools, leisure pool, hot tubs, warm pool, cardio equipment, daycare, saunas, locker rooms, racquetball courts, indoor play area, pickle ball courts.</td>
</tr>
<tr>
<td>Size of indoor aquatic facility</td>
<td>6 lane 25 yard lap pool, leisure pool, spa, steam and sauna</td>
<td>n/a</td>
<td>diving well, lap lanes, leisure pool with two slides, jacuzzi We also have an outdoor water park - lap lanes, and leisure pool</td>
<td>FRC- 4 lap lanes, 19,000 sq ft leisure pool; warm pool seats 15-20, hot tub on deck seats 10, 6-8 person hot tubs in locker rooms too. Civic pool is 6 lap lanes, 25 yard pool with hot 12 person hot tub on deck.</td>
</tr>
<tr>
<td>Size of indoor climbing space</td>
<td>Tower 2 story</td>
<td>n/a</td>
<td>800</td>
<td>66’ wide and 28-33’ high</td>
</tr>
<tr>
<td>Size of indoor ice rink</td>
<td>1 NHL size</td>
<td>n/a (one outdoor 1 acre rink)</td>
<td>n/a</td>
<td>85’ x 200’</td>
</tr>
<tr>
<td>Asked and received info about TCJPR</td>
<td>No</td>
<td>Yes</td>
<td>800</td>
<td>582</td>
</tr>
<tr>
<td>Campbell County Parks and Recreation</td>
<td>Paul Stock Rec Center - Cody Rec Center</td>
<td>City of Steamboat Springs</td>
<td>Park City Recreation</td>
<td>Laramie Community Recreation Center</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>----------------------------------------</td>
<td>--------------------------</td>
<td>---------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>48,000 people</td>
<td>10,000 people</td>
<td>12,600 people</td>
<td>20,000 people</td>
<td>35,000 people</td>
</tr>
<tr>
<td>$5,977,703 Expenditure $2,994,728 Revenue</td>
<td>$1,200,000.00</td>
<td>$5,641,272.00</td>
<td>$7,336,977.00</td>
<td>$4.2 mil</td>
</tr>
<tr>
<td>$361,707 - 2017-18 capital outlay, construction and 1% budgets</td>
<td>$100,000.00 - $500,000.00</td>
<td>$1,600,000.00</td>
<td>$3,508,000.00</td>
<td>100k</td>
</tr>
<tr>
<td>2.4 miles</td>
<td>0 miles</td>
<td>167 in city limits, 350 in service area</td>
<td>12 miles</td>
<td>135 developed/15 undeveloped</td>
</tr>
<tr>
<td>245 acres</td>
<td>405 acres</td>
<td>80 parks, 124 golf course</td>
<td>10 rectangular turf athletic fields</td>
<td>10 rectangular turf athletic fields</td>
</tr>
<tr>
<td>5 rectangular turf athletic fields</td>
<td>8 rectangular turf athletic fields</td>
<td>10 rectangular turf athletic fields</td>
<td>10 rectangular turf athletic fields</td>
<td>10 rectangular turf athletic fields</td>
</tr>
<tr>
<td>7 softball fields, 5 baseball fields</td>
<td>3 softball fields</td>
<td>11 softball fields</td>
<td>4 softball fields</td>
<td>11 softball fields</td>
</tr>
<tr>
<td>17 playgrounds</td>
<td>14 playgrounds</td>
<td>10 playgrounds</td>
<td>5 playgrounds</td>
<td>13 playgrounds</td>
</tr>
<tr>
<td>0 off leash dog parks</td>
<td>1 off leash dog parks</td>
<td>2 off leash dog parks</td>
<td>3 off leash dog parks</td>
<td>2 off leash dog parks</td>
</tr>
<tr>
<td>11 tennis courts</td>
<td>5 tennis courts</td>
<td>18 tennis courts</td>
<td>3 free/11 pay for use tennis courts</td>
<td>1 soon to be 0</td>
</tr>
<tr>
<td>0 pickle ball courts</td>
<td>0 pickle ball courts</td>
<td>10 pickle ball courts</td>
<td>4 dedicated pickle ball courts</td>
<td>0 soon to be 1</td>
</tr>
<tr>
<td>$4 FT</td>
<td>44 FT</td>
<td>46 FT</td>
<td>approx. 45 FT</td>
<td>26 FT</td>
</tr>
</tbody>
</table>

Do not charge per hour, just the drop-in fee or membership to use gym Daily Fees - $3.50 Elem & under, $4 Jr.hi/Sr hi, $6 adult, $13 family, free for seniors 62 and older

<table>
<thead>
<tr>
<th>$7.15</th>
<th>0</th>
<th>unsure</th>
<th>n/a</th>
</tr>
</thead>
</table>

$95 per day $45/field, $50/maintenance fee

<table>
<thead>
<tr>
<th>$50.00</th>
<th>$10.50 per hour</th>
<th>unsure</th>
<th>$40.00 per hour</th>
</tr>
</thead>
</table>

$20.00/hr

<p>| $50.00 | $40.00 | Rental $85 full day resident/$200 visitor | $25.00 per hour |</p>
<table>
<thead>
<tr>
<th>Do not charge per hour, just the drop-in fee or membership to use gym Daily Fees - $3.50 Elem &amp; under, $4 Jr/high/Sr high, $6 adult, $13 family, free for seniors 62 and older</th>
<th>$300.00</th>
<th>0</th>
<th>$65 hr for residents</th>
<th>$60.00 per hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>190,000 sq. ft., includes recreation center, field house and leisure and lap pool</td>
<td>70,000 sq ft</td>
<td>0</td>
<td>PC MARC 80,000 sq ft</td>
<td>6,000 sq ft</td>
</tr>
<tr>
<td>cardio equipment, free and selectorized weight equipment, 3 aerobic rooms, 1 cycling room, 1 personal training room, 3 lane walking/running track, 3 court gym, 42’ climbing tower, 4 racquetball courts, 6 lane 200- meter track, 5 tennis courts, fitness classes, personal training, massage therapy, suntan beds, 2 steam saunas, locker rooms, Kid’s Zone babysitting service</td>
<td>Free Weights, circuit, Fitness gym, 3 basketball, 2 racquetball, walking track 40 fitness machines,</td>
<td>4 tennis courts, gymnasium, 3 fitness studios, track, weight room, cardio, bouldering, game room, 7 outdoor tennis courts, 2 outdoor pools</td>
<td>Free weights, circuit systems, 2 fitness rooms, 1 spinning room, walking/running track, cardio areas, stretching/plyo areas</td>
<td></td>
</tr>
<tr>
<td>6 lane 25 yard lap pool, 13’ deep diving well, instruction area, 12,900 sf. leisure pool, 25 person hot tub and dry sauna</td>
<td>25 yard 8 lanes, leisure pool, water slide, therapy pool, hot tub, steam room</td>
<td>n/a</td>
<td>n/a</td>
<td>8 lane, 25 yard lap pool, 9000 sq. ft. leisure pool</td>
</tr>
<tr>
<td>42’ climbing tower, 3 auto belays with 13 top ropes</td>
<td>na</td>
<td>n/a</td>
<td>small bouldering area</td>
<td>n/a</td>
</tr>
<tr>
<td>1 NHL size rink (85 x 200) and 1 smaller rink (73 x 185)</td>
<td>na</td>
<td>Olympic</td>
<td>olympic sheet</td>
<td>30,000 sq. ft.</td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>124</td>
<td>447</td>
<td>366</td>
<td></td>
<td></td>
</tr>
<tr>
<td>REXBURG RECREATION DEPARTMENT</td>
<td>CITY OF IDAHO FALLS PARKS AND RECREATION</td>
<td>GLENWOOD SPRINGS COMMUNITY CENTER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------------------------------------</td>
<td>---------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28,000 people</td>
<td>60,211 people</td>
<td>10,000 people</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$257,000.00 (rec only)</td>
<td>$13,368,500.00</td>
<td>$268,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$5,000.00 (rec only)</td>
<td>$2,000,000.00</td>
<td>$2,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*ask parks</td>
<td>26 miles</td>
<td>13.3 miles</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*ask parks</td>
<td>591 acres</td>
<td>65 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 rectangular turf athletic fields</td>
<td>11 rectangular turf athletic fields</td>
<td>1 rectangular turf field</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 softball fields</td>
<td>2 fields</td>
<td>2 fields</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 playgrounds</td>
<td>24 playgrounds</td>
<td>8 playgrounds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 off leash dog parks</td>
<td>8 off leash dog parks</td>
<td>2 off leash dog parks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 tennis courts</td>
<td>16 tennis courts</td>
<td>8 tennis courts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 pickle ball courts</td>
<td>7 shared use courts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 FT</td>
<td>43 FT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n/a</td>
<td>$2.14 per hour</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$25.00 per hour</td>
<td>$0.00</td>
<td>$16.00 per hour</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$10.00 per hour</td>
<td>$25.00 per hour</td>
<td>$79.50 per DAY</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Additional Information:**
- Lap lane rental must also pay daily drop in fees or have valid membership hourly resident/non-profit per lane $10.00. non-resident/profit rate per lane $13.00. exclusive use (2 lifeguards included) hourly rate resident/non-profit $160.00. non resident/profit $210.00.
- All fields (1-59 persons) non-profit/government $7.50 per hour, general rate $10.00 per hour, minor (60-100 participants) non-profit/resident application fee $25.00 + $104/day. (101-250 participants) non-profit/resident application fee $25.00 + $175/day, non-resident profit application fee $25.00 + $230/day
- (1-75 persons) non-profit/local $7.50 p/hr. profit/non-local $10/hr. (76-150 persons) non-profit/local $25.00 + $75/day profit/non-local $25.00 + $90/day (151-250) non-profit/local $25. + $163/day profit/non-local $25. + $196/day (251-500) non-profit/local $35. + $275/day, profit/non-local $35. + $330/day (501-1000) non-profit/local $35. + $450/day, profit/non-local $35. + $540/day (1001-1500) non-profit/local $35. + $525/day, profit/non-local $35. + $630/day (over 1501) non-profit/local $35. + $525 + .25/person, profit/non-local $35. + $630 + .40/person
<table>
<thead>
<tr>
<th>$20.00 per hour</th>
<th>n/a</th>
<th>$123.44 per hour</th>
<th>$400.00 per DAY</th>
<th>Resident/Non-profit $40 p/hr. ½ court - $70 p/hr. full court - $325/day whole gym - $30 p/hrs. Dance Room - $180/day Dance Room Non-Resident/profit $45 p/hr. ½ court - $75 p/hr. full court - $350/day whole gym - $35 p/hr. Dance Room - $185/day Dance Room *Day Rate 6 hours or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>18,000 sq ft</td>
<td>n/a</td>
<td>90,000 sq ft</td>
<td>10,000 sq ft</td>
<td>65,000 sq ft</td>
</tr>
<tr>
<td>2 courts, 1 turf field, and a batting cage</td>
<td>n/a</td>
<td>free weights, gyms, tennis courts, racquetball, fitness rooms, walking track</td>
<td>weight room, basketball gym, racketball court</td>
<td>free weights, circuit training, fitness class room, cycling studio, gymnasium, walking/running track, activity pool with water slide, lap pool with diving board, hot tub, rock wall, computer/study area, community meeting rooms</td>
</tr>
</tbody>
</table>
| n/a            | n/a | n/a              | 8 lap lanes, 1 diving well, 1 shallow end, 22 person hot tub, 1 outdoor wading pool | Lap Pool  
• 8 lanes  
• 25 meter lap pool with the option to raise the floor in the shallow end to convert the pool to 25 yards  
• 4844.09 sqft surface area  
• 276,515 gallons  
Activity Pool  
• 1848.3 sqft water surface area  
• 28,143 gallons  
Hot Tub  
• 114.4 sqft surface area  
• 1,832 gallons |
| n/a            | n/a | n/a              | n/a             | 600 sq ft, 2 1/2 stories tall |
| n/a            | n/a | n/a              | 185 x 85        | 32,000 |
| Yes            | Yes | Yes              | No              | Yes |

| 238 |
Appendix C - Community Survey

Community Interest and Opinion Surveys

Overview and Methodology

Three statistically-valid citizen interest and opinion surveys were developed by the ETC Institute (ETC). The following taken from the executive summary of the Community Interest and Opinion Survey conducted by ETC in 2015 builds upon the surveys conducted in 2006 and 2012 which were carried out in a similar manner.

ETC conducted a Community Interest and Opinion Survey for the Teton County/Jackson Parks and Recreation Department to evaluate performance of the Department as well as the quality of parks and recreation facilities, programs, and services within the community. The survey was mailed to a sample of 6,000 randomly selected households throughout Teton County/Jackson.

A goal was set to obtain a minimum of 500 completed surveys within Teton County/Jackson boundaries. That goal was exceeded with a total of 612 completed surveys and an overall response rate of 10 percent. The results have a 95 percent level of confidence with a precision rate of at least +/- 3.9 percent.

In general, this survey did not vary greatly from the 2012 survey, nor did it identify a new gap within the service profile. The community shows a high overall support for the Department’s assets, while attendance and usage rate have plateaued compared to the difference between the 2006 and 2012 survey. A full survey report exists separate from this document, and specific references are provided in this plan where relevant to key issues.
Appendix D - Public Engagement Results

Public Meetings
The Department has earned a reputation for being receptive to feedback by continuously engaging the community through periodic surveys, planning processes, and day-to-day operations. This plan is driven in part by data received through engaging the public in multiple ways including:

- Community surveys
- Focus groups
- Public meetings
- Stakeholder interviews
- Council and Advisory Board work sessions

Since this process utilized survey data that was collected previously, focus groups and other meetings were used as a way to validate the previous information and to discover new opportunities in the community. This section summarizes data collected through each source of input.

Focus Groups/Public Meetings/Interviews
Focus groups, public meetings, public intercept efforts, and one-on-one interviews were conducted in early May, 2017. The consultant team attempted to speak with as many representative groups and organizations as possible in order to provide the widest range of input. While the following list appears to only represent groups and organizations, it should be noted that participants represented multiple groups, including families, minority populations, underserved populations, age categories, and a wide variety of users.

- JH Youth Soccer
- JH Lacrosse
- JH Youth Baseball
- Jackson Giants
- Jackson Youth Football
- Staff
- Snake River Fund
- Teton Literacy
- One 22
- Curran Seeley
- Children's Learning Center
- Climb
- Community Entry Services
- Residents
- Joint Council Members
- Teton Youth and Family Services
- Senior Center
- Jackson Hole Community Counseling
- JH Chamber of Commerce
- JH Travel and Tourism Board
- Teton Village Association
- Teton Science School
- Teton County School District
- Dancers’ Workshop
- Center for the Arts
- JH Art Association
- Children's Museum
- Community Foundation
- Center of Wonder
- JH Public Art
- JH Historical Society
- Snow King Mountain Recreation
- Center Management Group
- Jackson Hole Mountain Resort
- Teton Adaptive Sports
- Friends of Pathways
- Nordic Alliance
- Teton Valley Trails and Pathways
- Conservation Alliance
- Age Friendly Jackson Hole
- PAWS of JH
- Jackson Hole Land Trust
• Trust for Public Lands  
• Rendezvous Land Conservancy  
• Bridger Teton National Forest  
• Wyoming Game and Fish (Jackson Office)  
• U.S. Fish and Wildlife  
• Central Wy. Community College  
• Grand Teton National Park  
• Teton County Library  
• Teton County Public Health  
• St. John’s Hospital  
• Teton County Sheriff  
• Jackson Police  
• Community Pathways  
• Teton County/Jackson Planning  
• Teton County Fair  
• Town of Jackson Public Works  
• Stingrays Swim Club  
• Piranhas Swim Club  
• JH Ski and Snowboard Club  
• Teton County 4H  
• Horse Warriors  
• Jackson Hole Kayak Club  
• JH Youth Basketball  
• Girl/Boy Scouts  
• Adult Rugby  
• JH Pickleball  
• La Ligua Soccer  
• Adult Roping  
• Wilson Adult Hockey  
• Teton Boulder Club  
• Teton Trail Runners  
• Teton Freedom Riders

During these initial meetings, the project team distributed a questionnaire as a mechanism to collect data beyond the verbal discussion at each session. Questions were developed by GreenPlay with assistance from Department staff and the project team. Information was gathered and categorized in the following areas:

• Strengths
• Opportunities for improvement
• Activities/programs that should be enhanced
• Improvements needed at existing facilities
• Services that could be eliminated
• Underserved portions of the community
• Funding options
• Key issues and values
• Top parks and recreation priorities

Years Participants have lived in the community

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 percent</td>
<td>&lt;5 years</td>
</tr>
<tr>
<td>5 percent</td>
<td>5-9 years</td>
</tr>
<tr>
<td>15 percent</td>
<td>10-19 years</td>
</tr>
<tr>
<td>58 percent</td>
<td>20+ years</td>
</tr>
</tbody>
</table>
Strengths

• Programming and Services
  ▪ High quality programming and service offerings
  ▪ Provides a wide variety of programming (all ages, different types, seasonal, etc.)*
  ▪ Provides critical child services to the community
  ▪ Services are affordable and accessible for residents, especially youth programming*
  ▪ Camp Jackson summer program is one of the best programs offered in the community*
  ▪ Department is able to meet the challenges of the unique sports

• Service Delivery
  ▪ Department is a trusted service provider in the community*
  ▪ Department partners with experts in the community to provide services – river guides, rock climbing, etc.
  ▪ Strong partnerships and willingness to collaborate within the community*
  ▪ On-going communication and partnerships with affiliate organizations and alternate providers*
  ▪ Department does not duplicate the programming of other providers
  ▪ Philosophy of fees seems to be in line with the community*
  ▪ Provides transportation opportunities to their programs
  ▪ Maintenance standard in the system is high*
  ▪ Access to programs is clear

• The System
  ▪ Facilities and park infrastructure are high quality*
  ▪ Manages a large system of assets (pathways)*
  ▪ Manages a large system of trails in the winter and provides an appropriate mix of uses*
  ▪ Good distribution of parks throughout the community
  ▪ Walkability and access to physical infrastructure is high*
  ▪ System provides a good balance of users and visitors

• Operations and Staffing
  ▪ Not afraid of challenges and new endeavors
  ▪ Core staff and leadership have a great direction*
  ▪ Says yes first regardless of limited resources
  ▪ Longevity of the staff
  ▪ Department accomplishes a significant amount of work with a limited resources*
  ▪ Strong understanding of the community

Opportunities for Improvement

• Programming and Services
  ▪ Integration of arts and culture in the parks
  ▪ Capture more public input on parks system
  ▪ Competitive swimmers are losing water time to recreation programs as the community grows
  ▪ Department could reevaluate scheduling of programs and facilities
  ▪ Youth sports could have more direction
  ▪ Continue to improve the registration system*
  ▪ Improving communication of the permitting process*
  ▪ Needs to improve accessibility for people with disabilities
• **Service Delivery**
  - Programs are cancelled, and people disengage
  - Grow the communication and marketing efforts of the Department*
  - Improving communication about snow removal – plans, timing, etc.*
  - Improve coordination between private programs and public programs
  - Improve outreach/awareness/marketing efforts*
  - Sports leagues are trying to schedule with multiple agencies
  - Communication between the School District and Department can be inhibiting*
  - Scheduling preference should be given to sports that are in-season
  - Is there opportunities for feedback from other participants – adults, dog owners, visitors?
  - Users sometimes get different answers from different people

• **The System**
  - Recreation Center is not big enough*
  - Update and upgrade the existing infrastructure*
  - Parks need to be more dynamic, innovative, creative features*
  - Parks need to have more natural play areas and features*
  - Department seems to be missing a vision for the system especially for natural lands
  - Needs a better balance of active and passive/natural areas*
  - Improving access to all facilities in the winter – rec center, bathrooms, etc. *
  - No permanent dog park in the community – dogs laws restrict opportunities*
  - Locker-rooms are low quality
  - Center’s amenities are falling under disrepair
  - Shortage of athletics fields*
  - Irrigation needs to be turned on a little sooner in the season
  - Larger system in the pathways is hard to maintain

• **Operations**
  - Department is often constrained by the economy/budget/political climate*
  - Needs more diverse funding strategies
  - Department is limited by its resources – funding and staff*

**Activities/Programs that should be Enhanced**
• Joint staff training between the Department and community partners*
• Increased programming for youth – teens, pre-K, non-structured, day care*
• Evolve programming with the community*
• Seniors looking for more trips, mobility, and independence
• Expand Camp Jackson
• Critically look at services (programs, operations, etc.) offered to ensure they align with the mission of the Department*
• Redevelop the system to integrate public art in the park*
• Learn to Swim programs and after school swim programs*
• Lacrosse, soccer, and hockey are growing very fast in the community
• Multi-lingual marketing and advertising
• More fitness classes/programming*
• Wellness partnerships with the hospital*
• Outdoor safety and education classes – explore the “front country”
• Education/art programming
Improvements Needed at Existing Facilities

- Recreation Center/Indoor spaces
  - Increase the service profile of the Rec Center – upgrade existing and adding new amenities*
  - Find new opportunities for indoor spaces – Ski/snowboard academy, rock climbing facility, fieldhouse*
  - Create a community gathering space in the parks or at the Recreation Center*
  - Find a permanent ice rink solution*
  - Build more sustainable building infrastructure?
  - Upgrade support services in the system – bathrooms, locker rooms, etc.*
  - More indoor facilities to walk – build an indoor walking track*
  - Gathering place for youth groups
  - Racquetball court
  - Climbing wall*
  - Free weights space*
  - Gymnasium or court space*
  - Center should serve more of the community – seems to be youth oriented
  - Spaces should be more multi-purpose*
  - Add a therapy/wellness pool
  - Indoor playgrounds

- Parks
  - Mike Yokel Park is underutilized
  - Complete the proposed phased construction in Alta
  - Pickleball court needs public restrooms
  - Find more permanent pickleball courts
  - Shelters should be added to May Park
  - Develop Stilson property and property at new elementary school*
  - More natural play and unstructured play*
  - Create separation from playgrounds and parking spaces?
  - Stilson Master Plan should be developed*
  - Mountain bike skills course of pump track*
  - Needs more athletics facilities – sports complex*
  - Youth sports are pushing out adults
  - Add central bathrooms
  - Dog parks*
  - Passive and active amenities on the BLM lands*
  - Co-development at the new school site
  - Wilson Elementary field could be leveled
  - Identify opportunities at Wilson and South Park boat ramps*
  - Find opportunities in the current system infrastructure
  - May Park and Karns Meadows should be prioritized
  - Micro parks at park-n-ride and along the trail system
  - Provide a fully accessible park – close to aging populations
  - Better communication with Friends of Pathways to increase accessibility
  - Outdoor/additional pool amenity – pool, splash pad/spray ground*
Pathways

- Add outdoor training circuits to pathways – potential wellness partnerships
- Could use more trails, but not a need
- Needs to take pathways from recreational assets to transportation assets

Services that could be Eliminated

- Pathways maintenance partnerships should be re-evaluated*
- Department serves as a catch all agency. Services need to be evaluated for fit*
- Continue communication with partners/alt. providers to ensure services are not duplicated*

Underserved Portions of the Community

- Teens*
- Latino/Hispanic community*
- Single-parent homes*
- J1 participants
- Preschool-aged youth*
- Low-income families*
- Working families
- Aging populations
- People with disabilities*
- Geographic locations – Teton Village and The West Bank
- Mountain bikers
- Dog owners*
- Gap in service with adults
- Tourists

Funding Options

- Joint grants*
- Community is not generally receptive to taxes*
- Opportunity to charge more fees – sliding scale is an opportunity*
- Scholarship opportunities need to remain available throughout the community*
- Sliding scale makes sense in the community
- Business sponsorships and partnerships
- There is a need to diversify funding strategies*
- Housing crisis is taking much of the community funding
- Community is reliant on sales tax
- What are there “opt-in” strategies? Stickers, bags, etc.
- Department should consider SPET again*
- Lodging tax should pay for increased amenities
- Property taxes should be re-evaluated

Key Issues and Values

- Balance conservation and development*
- Staffing needs to be addressed within the master plan
- Cost of living and housing
- People are driving out of the community to access “better” recreation centers*
- Evaluation of maintenance costs
- Arts and culture*
- Keeping public lands under public ownership; not transferring to private groups*
- Connect the current population to the history of the area*
- Town and County are land poor
- Second home community is different from the core of Jackson – more affluent
- Continue access to public space and lands
- Highlight the community character
- Healthy community
- Provide equity in access*
- Community values:
  - Recreation
  - Community
  - Philanthropy
  - Diversity
  - Extreme creativity
  - Gnarly pioneer
  - Collaboration
  - Outdoor recreation

Top Parks and Recreation Priorities
- Service Delivery
  - Create a communication liaison for partners and affiliate organizations*
  - Expand adult rec leagues
  - Determine the most appropriate services for the Department to provide, or how to more appropriately balance all of the Department responsibilities with the budget*
  - Continue collaborating with other agencies*
  - Create operational/management standards for the river properties*
- Expansion
  - Expand (or develop new) the Recreation Center or other indoor space*
  - Explore co-development at the school sites*
  - Expand focus outside of the Town core*
  - Town is short sighted about the planning
  - Town may try to grow through annexation
  - Find land for a permanent dog park*
  - Develop more athletic fields for sports and events*
- Upgrade
  - Connect facilities (walkability, bikability) for all ages*
  - Addressing aging facilities and maintaining current infrastructure*
  - Prioritize BLM land uses (active vs. passive)*
- Values
  - Grow with the community*
  - Tell the story of the Department*
  - Communicate the balance of the growth and the funding of development
  - Facilitate community integration – promote diversity*
  - Address geographic barriers in the community – seems to be moving away from integration*
  - Continue outreach to groups in the most need*
Appendix E - Stakeholder Engagement Results

Engagement of Policy-Makers and Advisors

The Joint Council and the Advisory Board were engaged at different stages throughout the process, including:

- Individual interviews
- Findings presentation
- Visioning Sessions

The goal of each was to better understand the political environment of the community, and to better understand the priorities and opportunities within the community. All of this information is presented as anonymous and incorporated with the rest of the public outreach summaries and information.
Appendix F - Parks, Facilities, and Open Space Inventory and Mapping

Parks System Overview
A full facilities and asset inventory was completed in order to understand the relationship of the physical infrastructure within the system as a key component in planning for needs and wants of the community.

The Teton County/Jackson Parks and Recreation Department maintains multiple properties in the Town of Jackson and throughout Teton County, Wyoming. Some of the sites outside of town are along Highways 22 and 89, and within the communities of Wilson, Teton Village, and Alta. There are several additional properties either not designated as park land or not owned by the Town of Jackson for which the Department performs routine maintenance, such as mowing. Some of these properties, such as Aspen Cemetery and non-park county buildings, have limited recreation value, and as such were not evaluated in the inventory. Some of the properties evaluated in the inventory are owned by federal land agencies but function like town parks.

On the whole, Department facilities and properties are well-maintained and in excellent condition. Results consistent with user feedback were gathered in the public process.

Figure 26: Teton/Jackson Parks and Recreation System and Alternative Providers
Teton County spans over 4,000 square miles, and much of the area is federal public land, including the entirety of Grand Teton National Park, as shown in Figure 26. As such, the county contains tremendous parks and recreation resources outside of the county. However, these sites typically attract a different type of use and user than the county parks. The large size of the county and distance between communities means that both park users, and maintenance staff must often travel long distances to reach some of the park sites. For example, the Alta Community Park is over 40 miles, and one hour and 20 minutes, from the Town of Jackson, without traffic. This large service area is perhaps not unique to Teton County/Jackson Parks and Recreation Department, but does create challenges both for maintenance and user access.

Many partnerships already exist with facilities owned and managed by others, but opportunities to expand services still exist. Some partnerships that could be explored further are:

- Schools – This partnership is already critical to the vitality and functioning of the park system, as the bulk of active recreation facilities available to the larger public are located at the High School. The Department should try to engage the School District with regard to expansion and redevelopment plans. This is also important in Alta, where the population may warrant shared resources.

- Land Conservancies – Protecting open space for wildlife habitat and aesthetics is a community priority. The county has a large amount of land protected through easement or owned outright by land conservancies, conservation groups, or similar non-profits. The Department should explore options where public access could be granted to some of these areas to provide nature-based recreation such as hiking, biking, cross-country skiing, and boating. Some of this land may even be appropriate for more active recreation and athletics. Any such arrangements would need to be vetted so that they do not impact the organization’s primary goals of protecting ecological function and integrity.

- Private landowners – There are several individuals in the community who own large tracts of land close to town. In the spirit of community service and support, some of these residents may be willing to work with the Department to provide land for public recreation. Conservation and pathway easements have created a precedent for these types of partnerships.

- Federal land agencies – Much of Teton County land is controlled by federal land agencies. Three of the parks inventoried are actually on federal land, Wilson Boat Ramp and South Park Boat Ramp are on BLM land, and North Park is on US Fish and Wildlife Service (USFWS) land. There are initiatives in motion to transfer other BLM parcels to Department control. As the region grows, pressure and use on these federal lands will grow, and cooperating with these agencies will prove critical.

**Park Types, Definitions, and Status**

Park sites evaluated in this inventory (Table 17) are divided into four different categories or park types based on the predominant use or function of the property.

1. **Active parks** contain multiple athletic fields and/or hard courts. Organized sports are the dominant use of these spaces. Some community parks also contain active recreation features, but these are secondary in importance.

2. **Passive parks** are open space areas mostly used for strolling, relaxing, and wildlife viewing. Natural parks, unprogrammed park space, and boat launches are all in this category.

3. **Gateway parks** include several of the passive parks that also serve as important gateways to the community. They are points of entry for visitors and tourists, and as such, the level of use fluctuates drastically throughout the season and day. These sites are also iconic points of interest in the community.
4. **Community/neighborhood parks** are intended to serve the surrounding neighborhood. They typically contain a picnic area, playground, seating, and often an active recreational element from a horseshoe pit to beach volleyball, or even a baseball field in some cases. Except for special events, visitors are typically not traveling great distances to use these sites.

The current status of the park sites also varies as the Department is in the process of expanding its resources. It is important to understand the status of the parks properties, because this affects the level of service that the entire system provides currently, and will in the future.

- **Online parks** are properties that currently serve the community and are being actively maintained by the Department. There are typically no large capital projects planned for these sites.
- **Parks under development** include several recently acquired sites for which master plans and capital development budgets have been approved. In some of these cases initial phases of the park have already been constructed.
- **Planned parks** are sites for which the master planning process is in the early stages, typically because the land has only recently been acquired or because a formal approval process is incomplete. In other cases, making improvements to these sites has not been regarded as a top priority.

Because of regular and ongoing improvement projects on many of these properties these status labels may not always be clear, similar to park type labels. For example, May Park was recently opened to the public, but there are still plans for major improvements on the property. A portion of South Park Boat Ramp is also open to the public but has been categorized as “under development” since a significant portion of the park to the west has not yet been constructed. Therefore, it will be valuable to regularly reassess these categories as the system and individual properties continue to evolve.

**Table 17: Teton County Jackson Park Sites Inventoried**

<table>
<thead>
<tr>
<th>Site</th>
<th>Owner</th>
<th>Type</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alta Community Park</td>
<td>Teton County</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Emily Stevens Park</td>
<td>Teton County</td>
<td>Passive</td>
<td>Online</td>
</tr>
<tr>
<td>Fairgrounds</td>
<td>Town of Jackson</td>
<td>Active</td>
<td>Online</td>
</tr>
<tr>
<td>High School Recreation Complex</td>
<td>State of Wyoming</td>
<td>Active</td>
<td>Online</td>
</tr>
<tr>
<td>Karn’s Meadow Park</td>
<td>Town of Jackson</td>
<td>Passive</td>
<td>Under development</td>
</tr>
<tr>
<td>May Park</td>
<td>Town of Jackson</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Mike Yokel Park</td>
<td>Town of Jackson</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Miller Park</td>
<td>Town of Jackson</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Munger View Park</td>
<td>Teton County</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>North Park</td>
<td>USFWS</td>
<td>Passive - gateway</td>
<td>Online</td>
</tr>
<tr>
<td>Owen-Bircher Park</td>
<td>Teton County</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Phil Baux Park</td>
<td>Town of Jackson</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Powderhorn Park</td>
<td>Town of Jackson</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Rangeview Park</td>
<td>Town of Jackson</td>
<td>Community park</td>
<td>Online</td>
</tr>
<tr>
<td>Russ Garaman</td>
<td>Creekside Village HOA</td>
<td>Passive</td>
<td>Online</td>
</tr>
<tr>
<td>South Park Boat Ramp</td>
<td>BLM</td>
<td>Passive</td>
<td>Under development</td>
</tr>
<tr>
<td>Stilson Park</td>
<td>Teton County</td>
<td>Active</td>
<td>Planned</td>
</tr>
<tr>
<td>Teton Village Community Park</td>
<td>Teton County</td>
<td>Community park</td>
<td>Planned</td>
</tr>
<tr>
<td>Town Square</td>
<td>Town of Jackson</td>
<td>Passive - gateway</td>
<td>Online</td>
</tr>
<tr>
<td>Valley Springs Wildlife Habitat</td>
<td>Teton County</td>
<td>Passive</td>
<td>Planned</td>
</tr>
<tr>
<td>Wilson Boat Ramp</td>
<td>BLM</td>
<td>Passive</td>
<td>Under development</td>
</tr>
</tbody>
</table>
There are ongoing discussions with federal land agencies, particularly the Bureau of Land Management (BLM), to transfer additional sites beyond the list above to the Department’s care. These properties were not considered in the inventory, as there is still uncertainty about the final ownership, uses, and timeline.

**Park Features and Components**
Each of the parks evaluated in this inventory contained a number of programmatic elements or features, known as components. *Table 18* shows the components evaluated. The quality and level of maintenance of the majority of these components ranged from good to excellent. Understanding the overall quantities and spatial distribution as compared to community desires will be important during further analysis.

**Table 18: Teton County - Jackson Park Site Features and Components**

<table>
<thead>
<tr>
<th>Site</th>
<th>Playground</th>
<th>Restrooms</th>
<th>Picnic Shelter</th>
<th>Community Garden</th>
<th>Nature</th>
<th>Trail/Boardwalk</th>
<th>Water Access</th>
<th>Athletic Field (multi-use)</th>
<th>Baseball, Softball, Little League</th>
<th>Tennis</th>
<th>Basketball</th>
<th>Volleyball</th>
<th>Unprogrammed</th>
<th>Turf/Play</th>
<th>Skating Rink (Winter)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alta Community Park</td>
<td>✓</td>
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* Rangeview Park has portable/seasonal restrooms
** The Phil Baux Little League field is used more often for community events than for organized sports
*** Stilson Park is in the planning phase. Amenities are based on 2014 master plan

From the table, active parks contain the most average number of component (4.3) followed by community parks (3.7) then gateway parks (2) and passive parks (1.8). When looking at the development or design of parks, the park classification should be considered. *(This chart is not meant to restrict the number of components held within parks, but does intend to show the intended character.)*
Park Type Distribution
Due to the nature of the Department, a vast service area with a localized population/economic center, a traditional proximity level of service analysis may not be an appropriate mechanism to determine its level of service. It is assumed that the distance a person has to travel in the Department’s system to access a given amenity is acceptable and appropriate and aligns with the Comprehensive Plan strategy of utilizing the Town of Jackson as a “core.” Figure 27 depicts the spatial distribution of recreational components within the service boundary. Most neighborhoods within Town limits are within a 1/4 mile distance to a Park and this excludes the multi-use pathway network which improves connectivity within the Town and adjacent areas.

Figure 27: Distribution of Parks Within the Service Area

The needs assessment noted the high-quality experiences provided by the Department. This plan assumes that the current system is the standard expected by the community, and will identify opportunities to maintain, increase, and evolve this level of service as the community continues to grow and as they relate to the Comprehensive Plan.

Facility and Park Distribution Relating to Other Planning Efforts
The following perspectives are overlays of the distribution of the park system, including a 1/4 mile “walkability” zone, and planning areas from Town and County planning documents. These perspectives were created to help understand the relationship between this plan and the larger vision of the community.

The Comprehensive Plan describes the following district classifications:

Complete Neighborhoods provide:
- Defined character and high-quality design
- Public utilities (water, sewer, and storm sewer)
- Quality public spaces
- A variety of housing types
- Schools, childcare, commercial, recreation, and other amenities within walking distance (1/4 to 1/2 mile) of residences
- Connection by complete streets that are safe for all modes of travel
Rural Areas provide:

- Viable wildlife habitat and connections between wildlife habitat
- Natural scenic vistas
- Agricultural and undeveloped open space
- Abundance of landscape over built form
- Limited, detached single family residential development
- Minimal additional nonresidential development

Figure 28 overlays the park facilities inventory with the Comprehensive Plan’s district classification map. Most of the parks fall within the “Complete Neighborhoods” zones. The circles created by the dashed, red line represent the 1/4 mile “walking distance” criteria.
Gaps in the system, based on Figure 28 and the 1/4 mile walking distance criteria, seem to be on the east side of the community by May Park, Teton Village, and south of South Park towards the community of Hoback. Though, when considering May Park and Teton Village Community Park are currently being developed, if the dashed lines were expanded to 1/2 mile (meeting the walkability requirement of a complete neighborhood), and with the high satisfaction rates from the public, the Department appears to have good park distribution within the community.
The Comprehensive Plan

At the highest (District) level, the Department is meeting its obligations to the Comprehensive Plan. To further analyze the system, the Comprehensive Plan breaks each district into four Subareas.

**Complete Neighborhood – Stable Subarea:**
- Subareas in which no change to the existing character is necessary.
- Development will be infill that maintains the existing identity or vitality.
- The subarea may benefit from strategic infill or development of non-existing Complete Neighborhood amenities.

Parks in this subarea include: May Park, Owen-Bircher Park, Town Square Park, Rangeview Park, North Park, Mike Yokel Park, Alta Community Park, and High School Recreation Fields.

**Complete Neighborhood – Transitional Subarea:**
- Subareas where most of the community would agree that development/redevelopment or a change in character would be beneficial.
- Subareas that would benefit from reinvestment and revitalization.
- Goals for development include improving access to jobs, housing and services and reducing reliance on single-occupancy trips.

Parks in this subarea include: Karns Meadows, Phil Baux Park, Powderhorn Park, Miller Park, and Teton Village Park.

**Rural Area – Preservation Subarea:**
- Subareas in which no change to the existing undeveloped character of the scenic resources and wildlife habitat is necessary.
- Additional amenities and infrastructure are inappropriate.
- May benefit from some clustered residential development that improves the overall preservation of open space.

Parks in this subarea include: Valley Springs Wildlife Habitat and South Boat Ramp.

**Rural Area – Conservation Subarea:**
- Areas of existing development and platted neighborhoods with high wildlife values, where development/redevelopment should focus on improved conservation.
- Areas that benefit from an increase in open space, scenic resources, and habitat enhancement.
- Goals include balancing existing development with improved wildlife permeability and scenic enhancements.

Parks in the subarea include: Stilson Property, Emily Stevens Park, and Wilson Boat Ramp.
Figure 29 and Figure 30 overlay the park facilities inventory with the Comprehensive Plan’s subarea classification map. Most of the parks fall within the “Stable and Transitional Subareas” zones. These zones need to be considered as sites are developed and redeveloped to ensure that they continue to meet the character requirements of the Comprehensive Plan.

Figure 29: Subarea Classification
The Comprehensive Plan also breaks the planning areas down into 12 Planning Subareas in the Town. Looking closer at the planning subareas (Figure 31), the park system is mostly distributed within eight subareas focused around the Town core.
All of these perspectives show good distribution of the park system, with no glaring gaps in services, except in the communities to the south of the county. The parks are distributed equitably through the planning areas, and are focused around population centers.
Pathway System

Teton County/Jackson Pathways Master Plan

The Pathways Master Plan also provides a vision for connections: “Imagine using ‘human power’ to move through the Jackson Hole landscape on a smooth surface, lined by wildflowers and native plantings, through conservation areas and neighborhoods, connecting schools, resorts, work and recreation, with custom designed benches, rest areas, and works of art designed to connect the heritage and culture of Jackson Hole…Imagine being able to redefine the connection between the human and natural environments, and to build a ‘green infrastructure’ that reduces fossil fuel consumption, enables freedom of mobility, encourages more physical activity, allows children to walk or bike to school, reduces traffic congestion, and makes it possible to create economic growth at the same time…This is the Jackson Hole Community Pathways System.”

Trails and community pathways are a significant recreational and alternative transportation infrastructure, but are most effective in increasing public health when they are part of a system. In fact, the Centers for Disease Control and Prevention’s (CDC) Trails for Health Initiative concluded that a connected system of trails increases the level of physical activity in a community.

While the pathway system may be maintained by the Parks Department, the individual sections are owned by various entities and easements or agreements are used to provide continuous public access. These linear parks are of critical importance in that they link other park sites.

Figure 32: Miles of Non-motorized Trails

The Department provides the 7th most miles of trails when compared to other reporting agencies.

27 Teton County/ Jackson Pathways Master Plan
Other Recreational Resources
The focus of this study is on Teton County/Jackson Parks system; however, it is still worth noting that multiple other recreational resources exist within the county, as described below.

Public
This includes Federal land owned and managed by National Park Service, National Forest Service, U.S. Fish and Wildlife, and Bureau of Land Management. These sites are typically focused on wilderness experiences, environmental education, and passive recreation. They typically include extensive trail networks and some, such as the National Parks, charge entrance fees.

School properties, owned by the State of Wyoming, provide recreation resources to the larger community, but school activities take priority. The high school in particular plays a critical role of providing athletic field space for organized sports, and as such, the Parks Department is involved in facility maintenance. The High School Recreation Complex has been included in the parks inventory, because of the vital role in plays in the community as a provider of athletic field space.

Non-profit – Open to the Public
Rendezvous Park is currently under construction with portions open to the public. It is owned and managed by the nonprofit Rendezvous Land Conservancy. Similarly, Astoria Hot Springs Park, which is currently in the final approval process, will be managed by a non-profit land conservancy instead of the Parks Department.

Private
Certain Home Owner Associations (HOAs) in the county have private parkland associated with a development, but these are typically used by residents of a particular subdivision. Additionally, land conservation organizations own or have secured easements on a lot of land in the valley, but much of this land is intended to protect wildlife habitat and does not allow for public access. Myriad private for-profit recreational facilities and organizations also exist in the region.
Appendix G - Teton County School District Agreement
COMPREHENSIVE RECREATION FIELDS AND FACILITIES USE AGREEMENT
BY AND BETWEEN
TETON COUNTY SCHOOL DISTRICT NO. 1
AND
TETON COUNTY, WYOMING AND TOWN OF JACKSON, WYOMING

This Comprehensive Recreation Fields and Facilities Use Agreement ("Agreement"), to be effective May 1, 2013, is made by and between the Teton County School District #1, a duly organized school district of the State of Wyoming ("the School District"); and Teton County, Wyoming, a duly organized county of the State of Wyoming and the Town of Jackson, a Wyoming Municipal Corporation (collectively "the Town/County").

RECITALS:

WHEREAS, pursuant to Wyo. Stat. § 21-3-111 (2013), the School District has the authority to enter into agreements with any public or private agency, institution, person, or corporation for the furnishing or leasing of real property or facilities by the School District; and

WHEREAS, the School District owns, or leases from the State of Wyoming, land in Teton County, Wyoming ("the Property") upon which the current recreational fields and facilities are located which are used and maintained by both the School District and the Town/County and which are the subject of this Agreement, all of which are more specifically listed in Exhibits A and B and shown on the Map attached as Exhibit C ("the fields and facilities"), attached hereto and incorporated by reference herein; and

WHEREAS, the School District has agreed to allow the Town/County use of designated portions of the fields and facilities for recreational purposes in exchange for the Town/County's assistance to the School District in the construction, maintenance, repair and scheduling of such fields and facilities; and

WHEREAS, the Town/County, the Jackson/Teton County Public Facilities Joint Powers Board, and the School District executed and entered into an agreement on July 22, 1991 to work cooperatively to bring about the construction of a recreation center, which facility has a swimming pool and related facilities ("the Recreation Center"); and

WHEREAS, as partial consideration for use of the Recreation Center by the School District, the School District executed and delivered to the Town of Jackson a
Warranty Deed dated September 17, 1993, and recorded on September 20, 1993, in Book 276 of Photos at Pages 0963-0964 which deeded to the Town a portion of land previously owned by TCSD upon which the Recreation Center was constructed. The Town thereafter executed and delivered the same property to the Jackson/Teton County Public Facilities Joint Powers Board by Warranty Deed dated September 17, 1993, and recorded on September 20, 1993, in Book 276 of Photos at Pages 965-966 of the Teton County Records; and

WHEREAS, the Davey Jackson Elementary School Gym was constructed as an “enhancement” with Special Purpose Excise Tax dollars for the purpose of shared use among the School District and the community at large, specifically for use by the School District for elementary school physical education, school activities and events, and competitive sporting events, as well as for use by the Town/County for afterschool kids club programs and evening recreation leagues; and

WHEREAS, it is in the best interests of the taxpayers of the Town, the County, and the School District, to avoid duplication in efforts and expenditures with regard to the provision of recreational fields and facilities; and

WHEREAS, the School District and the Town/County have, in the past, executed numerous agreements regarding recreational facilities and the various properties on which those recreational facilities are situated and which have various termination dates, including some termination dates that have passed without formal renewal of the agreements (the “Prior Agreements”); and

WHEREAS, it is the purpose of this Agreement to replace and update the Prior Agreements and to create one executed document which encompasses and sets forth in full the agreed upon rights, responsibilities and obligations of the parties in regard to the construction, maintenance, repair and scheduling of such fields and facilities and to include a termination date for this Agreement; and

WHEREAS, this Agreement specifically replaces and updates that certain Comprehensive Fields and Facilities Use Agreement effective on September 1, 2009 and Amendment #1 effective on August 13, 2012; and

WHEREAS, it is necessary, and the desire of the parties hereto, to revise this Agreement to account for the changes in the start and stop times for the School District beginning in the Fall of 2012 in regard to the scheduling of the use of the fields and facilities which are the subject of this Agreement so that the parties can mutually agree
upon scheduling, avoid conflicts, and offer programs and recreational opportunities as simultaneously as possible.

NOW, THEREFORE, IT IS HEREBY AGREED that, for and in consideration of the covenants and agreements contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties do mutually agree as follows:

A. SCHOOL DISTRICT OWNED/LEASED RECREATION FIELDS

1. The School District recognizes and agrees that the Town/County has placed improvements upon lands owned or leased by the School District. The parties agree that all improvements that have been placed upon lands owned or leased by the School District are attached to the real property and are improvements solely owned by the School District, unless otherwise noted herein or by a separate and distinct writing. Specifically, the improvements made to the Skateboard Park, as shown on Exhibit C, shall not be owned, or become the property of, the School District.

2. The Town/County agrees to operate and maintain certain recreation fields situated on lands owned or leased by the School District, which are listed on Exhibit A attached hereto ("fields").

   a. Exhibit A may be modified from time to time by written amendment to this Agreement.

3. The Town/County shall operate and maintain the fields in the following manner:

   a. All costs associated with the operational maintenance of the fields shall be paid for by the Town/County.

   b. Town/County shall be responsible for all operational maintenance needs of the fields. "Operational maintenance" of fields shall include, but is not limited to: mowing; fertilizing and seeding; watering, scheduling of watering, maintaining and repairing irrigation system; lighting and maintaining lights; repairing and restoring field surfaces damaged due to ordinary wear and tear; maintaining trees and shrubs; maintaining and repairing all fencing; cleaning and maintaining public restrooms; and
maintaining all fields in a neat and orderly condition, including collecting
and removing of all trash on a regular basis.

c. The School District shall be responsible for any and all costs associated with
repairing or replacing the fixed capital improvements to the fields that are a
result of damage or vandalism, and are not included in the Town/County's
operational maintenance responsibilities as set forth above, unless such
damage or vandalism is caused by the acts or omissions of the Town/County,
its agents, employees, representatives, affiliates, successors or assigns.

d. Town/County shall be responsible for the operational maintenance of the
irrigation system. The Town/County and School District shall share equally:
the cost of all utilities associated with watering; the cost of domestic water
used for watering; and the cost of additions to or repairs of the irrigation
system. Town/County shall pay all electrical utilities costs associated with
lighting the fields.

4. Priority of use and the control and scheduling of the fields by the respective
parties shall be as follows:

a. The School District shall have priority use of the fields during the
academic year, including preseason sports, as defined by the adopted
school calendar, ("the school year"), during all hours. The parties,
through their designated administrators, shall jointly agree upon the
detailed schedules for use of all fields for each season. The School District
shall submit its schedule for fall sports by February 1st and submit its
schedule for spring and summer by November 1st. It is the intent of the
parties that the School District specifically is vacating exclusive use of the
fields from 3:30 – 5:30 p.m. during the school year to adopt a more
flexible and youth friendly scheduling of after-school activities and
practices by both the School District and the Town/County subject to the

b. Town/County shall schedule and have priority use of the fields during
the summer during all hours. If the School District requests use of the
fields during the summer, then the School District shall request and
schedule such use with the Town/County’s for the upcoming summer
prior to November 1st. The parties, through their designated
administrators, shall jointly agree upon the detailed schedules for use of
all fields during the summer. The priority of use and scheduling shall be in accordance with Paragraphs A.4.c and A.4.d herein.

c. In the event that an unforeseen use by either party is needed but not requested by the dates set forth above, the requesting party shall request and schedule such use with the other at least thirty (30) days prior to the event, if practicable, with the understanding that the School District has priority during the school year, as set forth above, and the Town/County has priority of use during the summer.

d. All scheduling and use times of the fields that are the subject of this Agreement by either the School District or Town/County shall generally be in accordance with the following priority of use: 1) use by school children, with priority from youngest to oldest in age; and 2) use by adult recreational programs.

5. Prior to construction or placement of an improvement, or an alteration to an existing improvement, by the School District or a third party, shall meet with the Town/County to discuss proposed improvements or alteration. The Town/County may have the option of discontinuing the operational maintenance of that field based upon their objection to such improvement or alteration.

6. To the extent that some uses may be allowed on the fields which are not specifically scheduled or subject to this Agreement (such as use of fields for skate skiing tracks or ice rinks) which may be allowed on a temporary basis, allowance of such use by the School District does not imply that such use is incorporated into, or becomes part of, this Agreement.

B. SCHOOL DISTRICT OWNED/LEASED RECREATION FACILITIES

1. The School District agrees to allow the Town/County use of certain facilities which are owned by the School District, which are listed on Exhibit B attached hereto ("facilities").

   a. Exhibit B may be modified from time to time by written amendment to this Agreement.

2. The Town/County shall have no responsibilities toward maintenance or operation of the facilities with the following exceptions:

   a. After use of a facility, the Town/County shall be responsible for restoring
the facility to a neat and orderly condition, which shall include providing or reimbursing the School District for any janitorial services or other costs for any labor, materials or equipment specific to the Town/County’s use during non-school hours, as defined in Paragraph B.4.b below.

b. The Town/County shall be responsible for any and all costs associated with repairing or replacing the fixed capital improvements to or personal property located in the facilities that are a result of damage or vandalism to the facilities during the Town/County’s use of the facilities, and where such repair is not included in the School District’s operational maintenance responsibilities, unless such damage or vandalism is caused by the acts or omissions of the School District, its agents, employees, representatives, affiliates, successors or assigns.

3. The Town/County may use equipment owned by the School District that is associated with the facility unless expressly prohibited in writing by the School District. The Town/County shall be responsible for any damage to, or repairing and replacing of, any and all equipment which is caused by the acts or omissions of the Town/County, its agents, employees, representatives, affiliates, successors or assigns.

4. Priority of use and the control and scheduling of the facilities by the respective parties shall be as follows:

a. The School District shall schedule and have priority use of the facilities during the school year and summer, subject to Paragraph 4b below. The parties, through their designated administrators, shall jointly agree upon the detailed schedules for use of all facilities for each season, subject to the priority of use set forth in Paragraphs B.4.c, B.4.d and B.4.e herein. The Town/County shall submit its schedule for fall and winter sports by May 1st and submit its schedule for spring and summer by November 1st.

b. Specifically in regard to Davey Jackson Elementary School gym (DJES), the School District shall schedule and have priority use of the facility during the school year during school hours. The Town/County shall schedule and have priority use of DJES gym after school hours and during the summer. The School District shall submit its schedule for non-school day, after hour special events, and major maintenance of the facility, to the Town/County at least ninety days (90) in advance, if practicable.

c. In the event that an unforeseen use by either party is needed but not
requested by the dates set forth above, the requesting party shall request
and schedule such use with the other at least thirty (30) days prior to the
event, if practicable, with the understanding that the priorities for use set
forth in each paragraph above shall govern.

d. All scheduling and use times of the facilities that are the subject of this
Agreement by either the School District or Town/County shall generally
be in accordance with the following priority of use: 1) use by school
children, with priority from youngest to oldest in age; and 2) use by
adult recreational programs.

e. In regard to the afterschool programs administered by the Town/County,
during the school year, the School District will give first priority to the
Town/County in those schools that are participating in the Town/County
after school program.

C. TOWN/COUNTY PARKS AND RECREATION CENTER AND
SWIMMING POOL

1. The Town/County agrees to allow the School District use of the Town/County
Parks and Recreation Center and Swimming Pool ("the Recreation Center") for
the purpose of swimming instruction and recreational opportunities to meet the
physical education needs of the School District.

2. The School District shall have no responsibilities toward maintenance or
operation of the Recreation Center.

3. The School District may use equipment owned by the Town/County that is
associated with the Recreation Center unless expressly prohibited in writing by
the Town/County. The School District shall be responsible for any damage to,
repairing and replacing of, any and all equipment which is caused by the acts
or omissions of the School District, its agents, employees, representatives,
affiliates, successors or assigns.

4. The School District shall have first priority for the use of the Recreation Center,
specifically the swimming pool and locker room facilities during the school year
for swim classes and for swim team practices and swim meets, with such times
being mutually agreed upon by the parties and as more specifically set forth
below. The School District shall provide a list of all uses and schedules needed
during the school year prior to May 1st. Any uses and schedules needed during
the summer shall be provided by February 1st.
5. The School District shall be allowed to use the Recreation Center upon the following terms and conditions:

a. The School District will pay the actual costs of the lifeguards and instructors provided by the Department for any swimming instruction.

b. During the school year, the School District shall have exclusive use of the pool during scheduled swim meets, as scheduled by the Wyoming High School Activities Association, in order to conduct such swim meets.

c. At a minimum, varsity morning practices shall consist of the following times: Tuesday/Thursday 6:15 a.m. to 7:15 a.m. (one to two lanes guaranteed) and Tuesday/Thursday 7:00 a.m. to 8:00 a.m. (three lanes guaranteed). At a minimum, evening practices (varsity and junior varsity) shall consist of the following times: Monday, Tuesday, Wednesday, Thursday 3:30 p.m. to 5:30 p.m. (eight lanes guaranteed). At a minimum, preseason fall practices shall consist of the following times: 8:00 a.m. to 10:00 a.m. (eight lanes guaranteed).

d. At a minimum, middle school practices shall consist of the following times: Monday through Friday, 4:00 p.m. to 5:45 p.m., (eight lanes guaranteed).

e. The Town/County administrators have the discretion to fill in open slots of lanes to the School District beyond those times guaranteed to the School District. The parties, through their designated administrators, may jointly agree in writing to adjust the specific times and days of the week stated in this Sections C.5.c and C.5.d.

f. In the event that an unforeseen use by either party is needed, the requesting party shall request and schedule such use with the other at least thirty (30) days prior to the event, if practicable.

g. The School District shall be responsible for any damage or vandalism to the Recreation Center which is caused by the acts or omissions of the School District, its agents, students, employees, representatives, affiliates, successors or assigns.

h. All utilities associated with the School District’s use of the Recreation Center shall be paid for by the Town/County.

D. GENERAL PROVISIONS

1. TERM. This Agreement shall be effective as of the 1st day of May, 2013, and shall continue in full force and effect through the 30th day of April, 2015, unless
sooner terminated as hereinafter provided. Provided that neither party is in default in the performance of their obligations hereunder, this Agreement shall automatically and indefinitely renew for additional two (2) year terms until either party gives notice of its intent to terminate the Agreement or unless otherwise terminated as provided for herein. All the terms and conditions during the renewal period(s) shall be the same as during the original term, unless modified by the parties in writing as provided herein. Renewal shall be deemed automatic without additional notice unless either party notifies the other in writing of non-renewal on or before sixty (60) days prior to the expiration of the current term.

2. FEES. Both parties shall be responsible, at their sole cost and expense, for the maintenance, repair, construction, and any and all services as specified herein. Neither the School District nor the Town/County shall charge the other any rent or usage fees for the use or lease of the fields and facilities and the property that are the subject of this Agreement, except that the parties may charge the other fees sufficient to cover any and all costs for services, labor, materials and equipment that are above and beyond the costs of “Operational maintenance,” as defined in Section A.3.b., and for services as described in Sections B.2 and C.5.a and C.5.h herein.

3. INDEMNIFICATION. The Town/County shall indemnify, release and defend the School District and hold it, its trustees, officers, administrators, agents, employees, affiliates, representatives, successors and assigns harmless from and against any and all losses, damages, liabilities, costs, claims and reasonable expenses, including attorney’s fees and costs, in connection with personal injury, loss of life, breach of contract, or damage to property directly arising out of, based upon or resulting from the Town/County’s use, operation, maintenance, repair or improvement of the fields and facilities or the Property which are the subject of this Agreement, whether such losses, damages, liabilities, costs, claims and reasonable expenses, including attorney’s fees, are occasioned wholly or in part by any act or omission of the Town/County, its members, directors, officers, administrators, agents, employees, licensees, business invitees, clients, students, or by any contractor or subcontractor hired by the Town/County. The parties expressly understand and acknowledge that, under the Town/County’s current liability coverage through Local Government Liability Pool, any losses, damages, liabilities, costs, claims and reasonable expenses, including attorney’s fees, which are deemed to be the responsibility of the Town/County under this indemnity provision will not be paid for by LGLP but instead would be funded directly from the Town/County.

The School District shall indemnify, release and defend the
Town/County and hold it, its directors, officers, administrators, agents, employees, affiliates, representatives, successors and assigns harmless from and against any and all losses, damages, liabilities, costs, claims and reasonable expenses, including attorney's fees and costs, in connection with personal injury, loss of life, breach of contract, or damage to property directly arising out of, based upon or resulting from the School District's negligent acts or omissions in regard to the use, operation, maintenance, repair or improvement of the fields and facilities or the Property which are the subject of this Agreement.

4. **INSURANCE.** Throughout the term of this Agreement, the Town/County shall obtain and keep in effect insurance or other coverage which provides general liability protection for personal injury and/or death and property damage resulting from the Town/County’s negligent acts or omissions in regard to the use, operation, maintenance, repair or improvement of the fields and facilities or the Property which are the subject of this Agreement. Such coverage shall be sufficient to afford minimum protection of not less than those limits established by the Wyoming Governmental Claims Act, Wyo. Stat. § 1-39-101, et seq., as may be amended, and One Million Five Hundred Thousand Dollars ($1,500,000) per occurrence, Five Million Dollars ($5,000,000) aggregate in coverage for out of state and federal claims. If permissible under the policy, the Town/County shall name the School District as a co-insured. The Town/County shall provide to the School District proof of a binding written commitment for the issuance of the insurance or liability coverage required by the terms of this paragraph. All such insurance policies shall contain a clause or endorsement to the effect that they may not be terminated or materially amended during the term of this Agreement except after thirty (30) days written notice to the School District. The parties expressly understand and acknowledge that, in the event that the Town/County’s current liability coverage through Local Government Liability Pool does not cover any losses, damages, liabilities, costs, claims and reasonable expenses, including attorney’s fees, which are deemed to be the responsibility of the Town/County under this provision, such liabilities will be funded directly from the Town/County.

5. **EXISTING STATE LEASE.** The Parties recognize that some of the fields and facilities that are the subject of this Agreement are located on property belonging to the State of Wyoming subject to a lease to the School District for school district purposes. All facilities to be placed or constructed upon the Property shall be subject to the prior approval of the State Land Board; the Town/County will notify the School District and the State Land Board before any additional buildings, facilities or structures are constructed or placed on the Property or if the Property is used for any other purpose than the current
recreational uses. The Town/County shall be responsible for the costs of removing immediately all buildings, facilities or structures which were not approved by the School District or the State Land Board. Nothing contained in this Agreement shall be deemed or construed to give any party any right, title, or interest in and to the Property superior to the interest and ownership of the State of Wyoming. Termination of the State's lease with the School District shall, at the option of the State Land Board, terminate this Agreement.

6. APPROVAL OF ALL IMPROVEMENTS. Prior to the construction, placement, or removal of any and all improvements, including signage, by the Town/County on any of the Property owned or leased by the School District, the Town/County must request and receive permission and approval from the School District in writing to construct, place or remove any and all such improvements. Upon reasonable notice to the Town/County, the School District may make any improvements without approval from the Town/County so long as such improvements do not interfere with the existing improvements on or uses of the Property. Prior to construction or placement of an improvement, or an alteration to an existing improvement, by the School District or a third party, the Town/County may have the option of discontinuing the operational maintenance of that field based upon their objection to such improvement or alteration.

7. PROHIBITED USES. The Town/County and School District shall not permit any of the recreational fields or facilities which are the subject of this Agreement to be used by any person for purposes which are prohibited by the laws, regulations, covenants and ordinances of the United States, the State of Wyoming, Teton County and the Town of Jackson. At all times, the Town/County and School District shall prohibit the use or consumption of any alcohol or tobacco products on, at or around the recreational fields or facilities unless otherwise permitted by law.

8. CONFLICT PROVISION. If there should be a conflict in scheduling between the School District and the Town/County, preference of use shall be given to the party who has control over use and scheduling during the time that the conflict arises, as more specifically set forth in Sections A.4., B.4., C.4, and C.5. The priority of use and scheduling generally shall be in accordance with the guidelines set forth in Sections A.4.d and A.4.e and Sections B.4.d and B.4.e.

9. BREACH OF AGREEMENT/TERMINATION CLAUSE. In the event that either party is unable to provide the services outlined in this Agreement, the non-breaching party will provide the other party with a written notice of the service issues that require resolution. In the event that the breaching party is unable to correct the service issues within thirty (30) days, the non-breaching party will
have the option to give ninety (90) days’ notice to terminate this Agreement in its entirety with no further rights, responsibilities, or obligations of either party.

10. REMOVAL OF FIELD OR FACILITY FROM USE. The School District may, at any time, remove from use any field or facility that is the subject of this Agreement upon reasonable notice to the Town/County.

11. ATTORNEY'S FEES. If any action at law or in equity shall be brought for or on account of any breach of, or to enforce or interpret any of the covenants, terms or conditions of this agreement, or for the recovery of the possession of the property, the prevailing party shall be entitled to recover from the other party as part of the prevailing party's costs reasonable attorney fees and costs.

12. NO PARTNERSHIP. The School District and the Town/County do not, in any way or for any purpose, become partners in the conduct of business, or otherwise or joint adventurers or a members of a joint enterprise.

13. WAIVER. The waiver by either party, or the failure of either party to take action with respect to any breach of any term, covenant, or condition contained in this Agreement, shall not be deemed to be a waiver of such term, covenant, or condition, or subsequent breach of the same, or any other term, covenant, or condition contained in this Agreement. To the extent that some uses may be allowed on or in School District fields or facilities which are not specifically scheduled or subject to this Agreement (such as use of fields for skate skiing tracks or ice rinks) which may be allowed on a temporary basis, allowance of such use by the School District does not imply that such use is grandfathered into, or becomes, part of this Agreement.

14. ASSIGNMENT. The Town/County may not assign any right, privilege or license conferred by this Agreement, nor may it sublet or encumber any portion of the Property without first obtaining the School District’s written consent, which consent shall not be unreasonably withheld. The School District specifically recognizes that the Town/County shall delegate their responsibilities under this agreement to the Teton County/Jackson Parks and Recreation Department, a joint department of the Town/County, which is administered by Teton County.

15. NOTICE. All notices, demands or other writings in the Agreement provided to be given or made or sent, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States Mail, certified and postage prepaid to the following:

   a. Teton County School District #1, P.O. Box 568, Jackson, WY 83001;

   b. Teton County Clerk, P.O. Box 1727, Jackson, WY 83001;
Each party shall be responsible for providing to the other current contact information of the person in charge of scheduling use of the fields and facilities for that party.

16. **TIME IS OF THE ESSENCE.** Time is of the essence of this Agreement, and of each and every covenant, term, condition, and provision of this Agreement.

17. **GOVERNING LAW.** It is agreed that this Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Wyoming and venue is the Ninth Judicial District.

18. **ENTIRE AGREEMENT.** This Agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

19. **MODIFICATION OF AGREEMENT.** Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in a writing signed by each party.
IN WITNESS WHEREOF, the parties hereto have entered into this Comprehensive Agreement to be effective on the 1st day of May, 2013.

TETON COUNTY SCHOOL DISTRICT NO. 1

BY: ____________________________
    its

ATTEST:

BY: ____________________________
    its

TETON COUNTY, WYOMING

BY: ____________________________
    its Paul Vogelheim, Chairman

ATTEST:

BY: ____________________________
    its Sherry L. Daigle, County Clerk

TOWN OF JACKSON, WYOMING

BY: ____________________________
    its Mark Barron, Mayor

ATTEST:

BY: ____________________________
    its Olivia Goodale, Town Clerk
EXHIBIT A

FIELDS

1. Cow Pasture Fields
2. Skateboard Park
3. Babe Ruth Field (Giants’ Field)
4. Middle School Field
5. Alpine Field
6. High School Synthetic Fields
7. High School Tennis Courts
8. North Field
9. Alta Field

FIELDS NOT SUBJECT TO AGREEMENT

The following fields specifically are not the subject of this Agreement and shall be maintained, scheduled and controlled by the School District:

1. East Field
2. Wilson School Field
3. DJES Field
4. Stadium Field

Any requested use of such fields by the Town/County or other third party individual or entity shall be scheduled through the School District, and any and all costs of such field use shall be billed by and paid directly to the School District pursuant to the School District’s policy, procedures and Facilities Use Application and Agreement.
EXHIBIT B
FACILITIES

1. Davey Jackson Elementary School Gym
2. Colter Elementary School Gym and Cafeteria
3. Middle School Gym and Cafeteria

All other facilities that are owned and maintained by the School District are not the subject of this Agreement and shall be maintained, scheduled and controlled by the School District. Any requested use of such facilities by the Town/County or other third party individual or entity shall be scheduled through the School District, and any and all costs of such facilities use shall be billed by and paid directly to the School District pursuant to the School District's policies, procedures and Facilities Use Application and Agreement.
Appendix H - Joint Powers Agreement
THE TOWN OF JACKSON AND TETON COUNTY JOINT POWER AGREEMENT FOR PARKS AND RECREATION AND AGREEMENT ESTABLISHING THE TETON COUNTY/JACKSON PARKS AND RECREATION DEPARTMENT AND TETON COUNTY/JACKSON PARKS AND RECREATION ADVISORY BOARD

This agreement is made and entered into to be effective as of the _/4/1_ day of _March_, 2016, by and between the Town of Jackson, Wyoming, a Municipal Corporation of the State of Wyoming, hereinafter referred to as “Town”, and Teton County, Wyoming, a duly organized county of the State of Wyoming, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, Wyoming Statute §16-1-105 Joint Agreements allows for two (2) or more agencies to enter into agreements with each other for joint or cooperative action; and

WHEREAS, this Joint Power Agreement is created pursuant to W.S. §16-1-105 and it is specifically recognized that this agreement does not create a separate legal entity, nor is this agreement created or governed by W.S. §16-1-106 Joint Powers Boards; and

WHEREAS, Teton County and the Town of Jackson (hereinafter referred to as “Parties”) have determined that there is a need within Teton County and the Town of Jackson for a system of parks and recreation facilities, which shall be encompassed in a Parks and Recreation Department (hereinafter referred to as the Department); and

WHEREAS said Department shall have an advisory board to oversee the responsibilities of the Department; and

WHEREAS, in furtherance of meeting this need in accordance with statutory authorization, the Town and County are expending funds and assisting in the support of system of parks and recreation; and

WHEREAS, the Town and County formerly operated the Parks and Recreation Department under the 1999 Agreement (Parks and Recreation Department) and then
the January 28, 2004 Joint Powers Agreement, which included an Amendment #1 entered into June 6, 2011, and an Amendment #2 entered into on December 10, 2012; and

WHEREAS, Joint Powers Agreements need to be updated every 10 years.

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

1. **Purpose.** The purpose of this agreement is to jointly provide for a system of public parks and recreational facilities within Teton County and the Town of Jackson, which shall be called the Teton County/Jackson Parks and Recreation Department, and which is to be overseen by the Teton County/Jackson Parks and Recreation Advisory Board, (hereinafter referred to as the Board). The Board shall be an advisory board to the parties and is specifically not a joint powers board, and no separate legal entity is created by this agreement.

2. **Duration.** This agreement shall commence on the date of approval by the Wyoming Attorney General, following the adoption and approval of this agreement by both parties hereto, and shall terminate ten (10) years from said date of adoption and approval, unless sooner terminated or extended as hereinafter provided.

3. **Name.** This agreement creates the Teton County/Jackson Parks and Recreation Department, which is a cooperative action between the Town of Jackson and Teton County. The Department shall be managed by a Director of the Teton County/Jackson Parks and Recreation Department (hereinafter referred to as “Director”).

4. **Advisory Board Composition.** The Board shall consist of seven (7) voting members, all of whom shall be qualified electors of Teton County, Wyoming. All members shall be appointed by joint appointment by the Board of County Commissioners of Teton County, Wyoming, and the Town Council of the Town of Jackson, for three (3) year staggered terms. The existing board under the 2004 Joint Powers Agreement shall continue to constitute the Board. The Board shall also include one (1) member of the Board of County Commissioners, one (1) member of the Town of
Jackson Town Council, and one (1) member of the Teton County School District. Such members shall sit ex-officio, and shall not have the right to vote on any matters.

5. **Removal.** Any member of the Board may be removed without cause by the joint approval of the Board of County Commissioners and the Town Council of Jackson.

6. **Powers Delegated and Roles of the Parties, the Board, and Director.** So as to minimize confusion as to the roles and responsibilities of the Parties hereto, the Board formed hereby and the Director and staff utilized, the Parties identify such roles and responsibilities as follows:

   (a) The Director shall have the power to manage the day-to-day affairs of the Department.

   (b) The Board is hereby delegated the authority to create policies, rules, and regulations; engage in both long-term and short-term strategic planning; and establish rates for the use of the parks and recreation facilities; with the direct input of the Director of the Department in all of the above listed delegations.

   (c) Teton County and the Town of Jackson shall jointly approve facility usage rate increases in excess of twenty-five percent (25%). In addition, the power to hire, fire, and discipline the Director of the Department shall be with the Teton County Commissioner’s Administrator. The Director of the Department shall be a direct report to the Teton County Commissioner’s Administrator. Through their financing function, the Town and County shall have sole and absolute discretion to appropriate funds for the continued functioning of the Department. Neither the Town nor the County has an obligation to fund the Department.

7. **Ownership of Facilities.** The parks or recreational facilities, including leased property, and all of the facilities currently located upon them, as well as equipment currently utilized by the Parks and Recreation Department, shall continue to be the sole property of the respective Party that currently has ownership. Each Party shall be deemed to own a one-half (1/2) undivided interest in certain equipment and facilities that is not specifically owned solely by one party. Future acquisitions of property must be designated as co-owned or as solely owned by one party at the time
of its acquisition. If property is not designated at its time of acquisition, the default shall be sole ownership by the respective Party.

8. Financing and Budget.

(a) General Finance. All expenditure and revenue transactions pertaining to the Department shall be recorded in a separate Special Revenue Fund that will be part of the County of Teton reporting entity. This special fund shall be called the Parks and Recreation Fund (hereinafter referred to as “Fund”). The Town of Jackson and Teton County shall each finance joint and cooperative undertaking by the appropriation by each Party based upon the percentage of the most current census data utilized by the State of Wyoming in making sales tax distributions to the Town of Jackson and Teton County.

The annual fiscal year contribution shall be calculated in the prior year during the annual budgeting process. The combined contributions from the Parties will be the difference between the projected ending fund balance (on a modified accrual basis) and the agreed-upon targeted fund balance. The estimated fund balance calculation for the fiscal year of the contribution shall be calculated as follows:

\[
\text{Estimated Beginning Fund Balance} \\
\text{Plus (+): All Estimated Program Sources} \\
\text{Minus (-): All Estimated Program Uses} \\
\text{Equals (=): Estimated Fund Ending Balance}
\]

Subject to Teton County invoicing, the Town of Jackson will remit one-twelfth (1/12) of the approved annual contribution on a monthly basis throughout the fiscal year. All expenditures and revenue pertaining to the Fund will be paid/received by Teton County and recorded as a debit/credit to the Fund. The Town of Jackson will not accept Department revenue or incur Department expenditures other than through Teton County, except grant proceeds and grant-related expenditures where the Town of Jackson is the grantee.

(b) Budgeting Procedures. The Department is required to comply with both Parties’ budgetary procedures, which includes format and timing requirements for appropriation requests. All appropriations and budgeted revenue need approval from both Parties before the budget is considered “approved.” The Department will comply with both Parties’ supplemental appropriation process. The Department is required to
comply with both Parties' Capital Improvement Plan (CIP) procedures, which include formal and timing requirements for project submittal.

(c) **Fund Balance (Reserves).** The fiscal year ending fund balance, calculated on the modified accrual basis of accounting, of the Fund will be reported by Teton County to the Town of Jackson as soon as the Teton County Audited Financial Statements are published.

The desired level of the reserves, or the targeted fund balance, will be proposed by the Teton County Budget Officer, and will be reviewed each year during the annual budget process. Ownership of the reserves of the Fund is shared based upon the most current census data utilized by the State of Wyoming in making sales tax distributions to the Town of Jackson and Teton County. Investment of idle funds must be done in compliance with Teton County investment policy and Wyoming Statutes.

9. **Auditor Recommendations.** The Parties intend to abide by all recommendations of their auditors. Recommendation of the parties' auditors proposed after the date hereof shall be deemed incorporated herein as they may be made from time to time.

10. **Financing of Operations and Capital Expenditures.** For purposes of timing, Financing Operations, Capital Expenditures and Budgeting, the Board shall be controlled by the more restrictive of the statutory fiscal procedures applicable to the Town and County. The funding of the Department shall be a negotiated process pursued in good faith by the sponsoring entities.

11. **Methods of Operation.** The Parties agree that, in the interest of efficiency and in order to avoid unnecessary redundancies and to take advantage of established fiscal, personnel, insurance and other arrangements, the Parks and Recreation Department shall operate as if it were a department of the County. This includes, but is not limited to utilizing the following: County personnel policies, County fiscal management and auditing, County retirement and health and medical insurance, and County casualty and personal liability insurance. The finally approved budget of the Department shall be within the County's budget and the County shall be responsible for performing all required audits and reporting to appropriate agencies. All employees of the department shall be employees of Teton County, which shall be responsible for
direct withholding and payment of all compensation, fringe benefits, employment taxes, workers' compensation, or other recompense, but subject to contribution by the Town of Jackson according to the financing split between the parties based upon the most current census data utilized by the State of Wyoming in making sales tax distributions to the Town of Jackson and Teton County. Property which is solely owned by the Town shall be insured by the Town. Any property in which the County has an ownership interest shall be insured by the County. All contracts entered into by the Department shall be approved solely by the Board of County Commissioners of the County of Teton.

12. **Termination or Extension of Agreement.** This agreement may be terminated by the resolution of either the Board of County Commissioners of Teton County, Wyoming, or the Town Council of the Town of Jackson, Wyoming duly adopted; provided, however, that neither party shall be permitted to terminate this agreement or its obligations hereunder if said termination, or the manner of termination, constitutes a breach of any contract for the purpose, lease, use or hiring of any facilities, property or services pursuant hereto. Upon such termination, all properties belonging to one of the agencies which provided the property as hereinabove designated, shall revert to and be the sole and separate property of that agency. All properties jointly provided or funded by the parties hereto shall be by mutual agreement between the parties.

13. **Prior Agreements.** This agreement shall supersede any and all prior agreements between the parties hereto with respect to the operation and maintenance of the Department of Parks and Recreation and all such related facilities, and any such prior agreements are hereby rescinded and rendered null and void. This agreement contains the entire agreement between the parties concerning the establishment of a separate entity as hereinabove contemplated for the operation and maintenance of the system of parks and recreation hereinabove described.
IN WITNESS WHEREOF, the undersigned have executed this agreement on the
day and year indicated, but to be effective as of the day and year above written.

TOWN OF JACKSON, WYOMING

By:  

Sarah Flitner, Mayor

Attest:  

By:  

Olivia Goodale, Jackson Town Clerk

BOARD OF COUNTY COMMISSIONERS
OF TETON COUNTY, WYOMING

By:  

Barbara Allen, Chair 1.19.2016

Attest:  

By:  

Sherry Daigle, County Clerk
STATE OF WYOMING
OFFICE OF ATTORNEY GENERAL

I hereby certify that the foregoing agreement establishing Teton County/Jackson Parks and Recreation Department was received by this office and has been reviewed and is approved as to form and with respect to compliance with the Constitution and Law of the State of Wyoming.

ATTORNEY GENERAL

By: [Signature]
Appendix I - Related Planning Documents

To ensure that this strategic plan furthers the overall vision of Teton County and the Town of Jackson, related planning efforts were reviewed with the goal of providing an overview of areas of opportunities to create synergies within departmental efforts. The parks and recreation assets and effort are critical to the stewardship of natural systems, and creation of community character and a healthy, connected environment.

The following were reviewed for the project:

- 2012 Jackson/Teton County Comprehensive Plan
  
  This Plan was developed “... to protect the health, safety, and welfare of our community and preserve our community character for future generations. To do this in one of the nation’s largest intact ecosystems, we must have a Comprehensive Plan organized around stewardship of our ecological resources. Wildlife, along with natural and scenic resources, draw both residents and visitors to this special place and are at the core of our heritage, culture, and economy. All aspects of our community character thrive on a shared appreciation of the natural setting in which we are located and the quality of life our surroundings bring. To achieve our desired community character, the community must protect and enhance the ecosystem in which we live.” 29

The Parks and Recreation Strategic Plan, by virtue of adoption, becomes an element of the Comprehensive Plan providing a more detailed look and approach to carrying out the overall vision of stewardship and shared appreciation through parks and recreation efforts.

2012 Jackson/Teton County Comprehensive Plan

This Parks and Recreation Strategic Plan serves as an element of the 2012 Comprehensive Plan which, “...is meant to protect the health, safety, and welfare of our community and preserve our community character for future generations. To do this in one of the nation’s largest intact ecosystems, we must have a Comprehensive Plan organized around stewardship of our ecological resources. Wildlife, along with natural and scenic resources, draw both residents and visitors to this special place and are at the core of our heritage, culture, and economy. All aspects of our community character thrive on a shared appreciation of the natural setting in which we are located and the quality of life our surroundings bring. To achieve our desired community character, the community must protect and enhance the ecosystem in which we live.” 30

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29 Jackson/Teton County Comprehensive Plan
30 Jackson/Teton County Comprehensive Plan

Parks and Recreation Strategic Plan 181
Teton County/Jackson Common Values

- Ecosystem Stewardship
- Growth Management
- Quality of Life

Comprehensive Plan Principles Supported by the Parks and Recreation Strategic Plan

“Strategies” from the Comprehensive Plan “Principles” were incorporated into recommendations and action plan of the Parks and Recreation Strategic Plan, as appropriate. The principle areas include:

Section 1. Stewardship of Wildlife, Natural Resources, and Scenery

- Principle 1.1 – Maintain healthy populations of all native species. Effectively plan for the future needs of residents and guests.
  - Policy 1.1.h: Promote responsible use of public lands

- Principle 1.2 – Preserve and enhance water and air quality
  - Policy 1.2.a: Buffer waterbodies, wetlands, and riparian areas from development

- Principle 1.3 – Maintain the scenic resources of the community
  - Policy 1.3.a: Maintain natural skylines
  - Policy 1.3.b: Maintain expansive hillside and foreground vistas
  - Policy 1.3.c: Maintain natural landforms
  - Policy 1.3.d: Maintain dark night skies

- Principle 1.4 – Protect and steward open space
  - Policy 1.4.a: Encourage non-development conservation of wildlife habitat
  - Policy 1.4.b: Conserve agricultural lands and agriculture
  - Policy 1.4.c: Encourage rural development to include quality open space
  - Policy 1.4.d: Establish a funding source for open space
  - Policy 1.4.e: Conserve open space to promote responsible use of public lands

Section 2. Climate Sustainability through Energy Conservation

- Principle 2.2 – Reduce energy consumption through land use
  - Policy 2.2.b: Direct growth out of habitat, scenery, and open space

- Principle 2.3 – Reduce energy consumption through transportation
  - Policy 2.3.b: Create a safe, efficient, interconnected multimodal transportation network

- Principle 2.4 – Increase energy efficiency in buildings
  - Policy 2.4.a: Construct energy efficient buildings
  - Policy 2.4.b: Renovate and reuse existing buildings
  - Policy 2.4.e: Encourage smaller buildings
Section 3. Responsible Growth Management

- Principle 3.1 – Direct growth out of habitat, scenery, and open space
  - Policy 3.1.a: Limit development potential to protect community character
  - Policy 3.1.c: Maintain rural character outside of Complete Neighborhoods
  - Policy 3.1.d: Cluster nonresidential development in existing locations

- Principle 3.2 – Enhance suitable locations as Complete Neighborhoods
  - Policy 3.2.a: Enhance the quality, desirability, and integrity of Complete Neighborhoods
  - Policy 3.2.b: Locate nonresidential development in Complete Neighborhoods
  - Policy 3.2.e: Promote quality public spaces in Complete Neighborhoods
  - Policy 3.2.f: Enhance natural features in the built environment

- Principle 3.3 – Manage growth predictably and cooperatively
  - Policy 3.3.a: Achieve our Vision through a coordinated Growth Management Program
  - Policy 3.3.c: Provide predictability in land use decisions
  - Policy 3.3.e: Make land use decisions based on plan policies

- Principle 3.4 – Limit development in naturally hazardous areas
  - Policy 3.4.a: Protect development against flooding
  - Policy 3.4.b: Protect development against avalanches and landslides
  - Policy 3.4.f: Protect development against wildfire

- Principle 3.5 – Manage local growth with a regional perspective
  - Policy 3.5.a: Cooperate with regional communities and agencies to implement this Plan
  - Policy 3.5.b: Strive not to export impacts to other jurisdictions in the region
  - Policy 3.5.c: Maintain control over our own community Vision

Section 4. Town as the Heart of the Region – The Central Complete Neighborhood

- Principle 4.1 – Maintain Town as the central Complete Neighborhood
  - Policy 4.1.e: Promote Town as a civic and governmental center

- Principle 4.2 – Promote vibrant, walkable mixed use areas
  - Policy 4.2.c: Create vibrant, walkable mixed use subareas

- Principle 4.4 – Enhance civic spaces, social functions, and environmental amenities to make the Town a more desirable Complete Neighborhood
  - Policy 4.4.a: Maintain and improve public spaces
  - Policy 4.4.b: Enhance Jackson gateways
  - Policy 4.4.c: Continue traditions and community events
  - Policy 4.4.d: Enhance natural features in the built environment

- Principle 4.5 – Preserve historic structures and sites
  - Policy 4.5.a: Identify and preserve historically significant structures and sites
  - Policy 4.5.c: Enhance historic preservation education, outreach, and awareness
Section 6. A Diverse and Balanced Economy

- Principle 6.1 – Measure prosperity in natural and economic capital
  - Policy 6.1.c: Establish an identity as a “green” community

- Principle 6.2 – Promote a stable and diverse economy
  - Policy 6.2.a: Enhance tourism as the basis of the economy

- Principle 6.3 – Create a positive atmosphere for economic development
  - Policy 6.3.e: Balance housing, nonresidential development, and civic uses

Section 7. Multimodal Transportation

- Principle 7.1 – Meet future transportation demand through the use of alternative modes
  - Policy 7.1.a: Develop a communitywide integrated transportation plan
  - Policy 7.1.c: Increase the capacity for use of alternative transportation modes
  - Policy 7.1.e: Coordinate transportation network decisions
  - Policy 7.1.f: Establish a regional transportation strategy

- Principle 7.2 – Create a safe, efficient, interconnected, multi-modal transportation network
  - Policy 7.2.a: Create a transportation network based on “complete streets” and “context sensitive” solutions
  - Policy 7.2.b: Interconnect all modes of transportation
  - Policy 7.2.c: Maximize interconnection, redundancy, and hierarchy in the transportation network
  - Policy 7.2.d: Complete key Transportation Network Projects to improve connectivity

- Principle 7.3 – Coordinate land use and transportation planning
  - Policy 7.3.a: Develop a land use pattern based on transportation connectivity
  - Policy 7.3.b: Reduce wildlife and natural and scenic resource transportation impacts
  - Policy 7.3.c: Require development to implement and fund alternative transportation
  - Policy 7.3.d: Review land use proposals and decisions against their transportation network impacts

Section 8. Quality Community Service Provision

- Principle 8.1 – Maintain current, coordinated service delivery
  - Policy 8.1.a: Maintain current, coordinated plans for delivery of desired service levels
  - Policy 8.1.b: Coordinate with independent service providers
  - Policy 8.1.c: Identify barriers to service delivery goals
  - Policy 8.1.d: Ensure redundancy of services
  - Policy 8.1.e: Budget for service delivery

- Principle 8.2 – Coordinate the provision of infrastructure and facilities needed for service delivery
  - Policy 8.2.a: Coordinate the creation of a Major Capital Project List
  - Policy 8.2.b: Design critical infrastructure and facilities for the peak effective population
  - Policy 8.2.c: Require mitigation of the impacts of growth on service levels
Section 9. Growth Management Program

- Principle 9.1 – Implement the Growth Management Program
  - Policy 9.1.b: Ensure growth occurs in suitable locations
  - Policy 9.1.c: Ensure growth occurs to enhance character
  - Policy 9.1.d: Take corrective action based on Growth Management Program targets

- Principle 9.2 – Monitor and implement our Vision annually
  - Policy 9.2.a: Monitor indicators annually
  - Policy 9.2.b: Establish an implementation work plan annually
  - Policy 9.2.c: Review indicators and set implementation work plan publicly

Section 10. Administration

“This Plan is comprised of numerous elements. It can only function when all of its parts are present and adopted. Specifically, our Common Values of Community Character can only function in accord with the Illustration of Our Vision. The policies of the Plan enumerate broad goals, to aid in the fulfillment of the community Vision. The Character Districts supply detail, spatial clarity and predictability by geographic area within the community. These two elements are inextricably related and therefore must only be adopted together, as the Plan would be otherwise incomplete...

“Implementation of the Comprehensive Plan is the responsibility of the entire community. Elected officials, Town and County Planning Departments, and other government and non-government organizations all have specific roles. The participation of the community is equally important to the success of the Comprehensive Plan, as all decisions ultimately affect the community’s ability to achieve our desired Common Values of Ecosystem Stewardship, Growth Management, and Quality of Life. Therefore, it is essential that the community remains invested in the successful implementation of this Plan.”

Teton County/Jackson Pathways Master Plan

“Imagine using ‘human power’ to move through the Jackson Hole landscape on a smooth surface, lined by wildflowers and native plantings, through conservation areas and neighborhoods, connecting schools, resorts, work and recreation, with custom designed benches, rest areas, and works of art designed to connect the heritage and culture of Jackson Hole...Imagine being able to redefine the connection between the human and natural environments, and to build a ‘green infrastructure’ that reduces fossil fuel consumption, enables freedom of mobility, encourages more physical activity, allows children to walk or bike to school, reduces traffic congestion, and makes it possible to create economic growth at the same time...This is the Jackson Hole Community Pathways System.”

---

31 Teton County/ Jackson Pathways Master Plan
Key Recommendations for Implementing this Plan\textsuperscript{32}

- Integrate the Pathways program throughout the transportation planning and land development review processes to ensure that non-motorized transportation system connectivity is accomplished as a routine element of capital and maintenance projects.
- Develop a sustainable, long-term funding mechanism to ensure successful completion and operation of the Pathways System as a community asset. It is recommended that the Pathways program, in cooperation with non-profit and private sector support, establish a maintenance endowment or other permanent funding source.
- The Jackson Hole Community Pathways (JHCP) program should ultimately have staff or partner program support specifically responsible for Operations and Programming, so that education, outreach, encouragement, and safety initiatives can be provided as a high-quality community service.
- In order to systematically maintain the Pathways System, an “Owner’s Manual” should be created with a codified set of maintenance guidelines and procedures that are formally documented and adopted.
- A JHCP Design Manual should be developed to guide design and construction of shared-use paths and amenities, including typical sections, material specifications, wildlife guidelines, and design types.
- Adopt a “Complete Streets and Pathways Policy.” “Complete Streets” is a national policy model that integrates facilities for bicyclists, pedestrians, and pathways into routine transportation, infrastructure, and public works projects and programs. The current Jackson/Teton County Comprehensive Plan includes a version of this policy type that can be enhanced.
- The Pathways program should implement a safety review process that includes systematic risk management assessment, inter-agency design review for all proposed improvements, user education, and accident and crime reporting.
- Develop supplemental pedestrian and sidewalk plans for the Town of Jackson and primary Teton County development nodes, including the Aspens, Teton Village, Hoback Junction, and Wilson, and other developed nodes as needed.
- Ensure that the Pathways program provides a balanced approach that includes the full range of non-motorized facilities, including shared-use paths, single track trails, on-street bikeways, sidewalks, safe crossings, bicycle parking, and transit connections.
- The JHCP program administration should be reorganized to meet the scale and need of the system as it moves toward completion. This reorganization should include a clearly organized structure for management of capital projects, operations, programming, and maintenance, and to recognize the significant roles played by partner agencies and organizations.
- The JHCP program should develop an Asset Management System using GIS/GPS technologies to locate, map, and manage the non-motorized transportation and recreation system that it is implementing.
- There is a clear need for a balanced, rational approach that recognizes the benefits of building pathways that appropriately and sensitively connect people and the environment. Procedures to incorporate wildlife professionals and advocates as active partners in the development of the Pathways System should be developed to help ensure that the preservation of natural resources is addressed as a routine element of pathways planning, construction, and management.

\textsuperscript{32} Ibid
The Pathways program will include landowners as early as possible in the planning process for pathways that may affect their property. The primary approach to gaining public access privileges will continue to be through cooperation with landowners to grant voluntary easements. Users of the Pathways System will be encouraged to respect private property and the rights of landowners.
EXECUTIVE SUMMARY

Introduction

This Parks and Recreation Strategic Plan is a first for the Teton County/Town of Jackson. It is completed within the strategic framework of the County and the Town which:

- Provides the foundation for the well-being of county and town residents through responsive and efficient services necessary to support the residential, business, environmental, and historical interests that define the community
- Enhances the quality of life for those who live here, and the experience for those who visit, through facilities and programs that contribute to public health, safety, and welfare
- Appreciates the unique environmental resource and scenic beauty
- Acknowledges responsibilities to future generations

According to the 2012 Jackson/Teton County Comprehensive Plan, the common values of community character are ecosystem stewardship, growth management, and quality of life. This Plan creates a roadmap to ensuring an appropriate balance of facilities, amenities, and programs offered to the community now and into the future. It evaluates the current system in order to appropriately develop goals, policies, and guidelines, along with achievable strategies, and will be heavily used as a resource for development and redevelopment of the Department’s assets and services for the next 10 years.

About the Community and the Department

Teton County has approximately 23,000 residents, of which 10,000 are in the Town of Jackson. A significant number of the residents in Teton County are second home owners. Teton County/Jackson Parks and Recreation Department operates as a County agency under a Joint Powers Agreement between the Town and the County. Department funding is split between the County at 55 percent and the Town at 45 percent based upon the 2010 Census on residential population distribution.

The Department has 11 developed parks comprising 60 acres and four (4) undeveloped parks comprising 89 acres; a 36,000 square foot recreation center with a gymnasium, multi-purpose space, 8 lane lap pool, leisure pool, splash down pool/slide tower, and therapy pool; 50 miles of paved multimodal pathways; and management of approximately 1,000 acres of Snake River Recreation parcels owned by the Bureau of Land Management (BLM). Through a School District agreement, the Department has management and maintenance responsibilities of 11 athletic fields comprising 18 acres. Lastly, the Department has grounds maintenance responsibility for all town and county government facilities and town right-of-ways.
About the Process

The Department director, staff, and the Advisory Board led the project team in preparing the Plan, a document available to the public. The intent of this plan is to support the policies within the Jackson/Teton County Comprehensive Plan and it requires approval by the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council. The Plan becomes an element of the current Teton County/Jackson Comprehensive General Plan following approval of the Parks and Recreation Advisory Board, the County Commissioners, and the Town Council.

The year-long plan development began in April of 2017 and included community and stakeholder engagement, an inventory and level of service analysis, demographics and trends analysis, identification of findings and key issues, visioning, and development of an action plan addressing recommendations for capital assets and operations, along with potential funding strategies. Final approval was granted in April of 2018.

Key Opportunities

The following key issues and opportunities were identified during the preparation of this plan. A detailed exploration exists in the main document.

EXISTING AND FUTURE FACILITIES

Indoor Facilities and Amenities
While recreational programs hosted by the Department take place in satellite/partner locations, the Teton County/Jackson Recreation Center hosts the majority of indoor programming. The community is highly satisfied with the current facility, yet the Recreation Center has experienced challenges in accommodating the needs of the community, creating user and scheduling conflicts. A feasibility study completed in 2012 has begun to be fulfilled through a SPET tax for renovations approved in 2017, but there is much more to be done.

Community/Neighborhood Parks
Community/Neighborhood parks are intended to serve the surrounding neighborhood. While well-maintained and functional, existing parks tend to suffer from a lack of individual identity. Gaps in the system, based on a ¼ mile walking distance criteria, seem to be on the east side of the community by May Park, Teton Village, and south of South Park toward the community of Hoback.

Special Event/Community Gathering Parks
The Department currently offers multiple special events throughout the system and supports numerous community events hosted by other organizations. Large maintenance impacts and traffic congestions often result. Considerations for these types of spaces include flexibility, walkability and transportation, hard surfaces, and Department resources.
Gateway Parks
Gateway parks should strengthen the sense of arrival into the community. North Park is an obvious gateway, as it sits at the northern extent of town adjacent to the Visitor Center. Though in the center of Jackson, Town Square functions as a gateway of sorts, as it is often one of the first outdoor places in town that tourists will visit. The future park in Teton Village will play the role of Gateway Park. Baux Park is a gateway in a different sense, as it is the gateway from town to the mountains and forest.

Beyond the Community and Neighborhood Parks
For the entire park system, the balance of conservation and development is paramount. Many of the BLM parcels are adjacent to the Snake River, in the floodplain, and further from populations. As such, they have habitat/conservation value and/or could be considered for land swaps to best serve the community.

Athletic Fields
The main athletic fields in the system are at the High School Recreation Complex. The Department also utilizes open green space and baseball/softball fields around the system to create temporary rectangular fields when necessary, a solution often utilized for practice times. This is not ideal and creates issues with scheduling, maintenance, and mixed-uses at parks. The School District is projecting growth, and indication of impact on the demand for services provided by the Department and the rate of use of athletic fields in the system. Reinventing how the high school complex is used and development of the Stilson property both provide opportunity to address this issue.

Dog Off-leash Areas
Local community groups have been trying to identify a suitable location for a dog park for some time, and statistics show that the need is obvious. Although commonly referred to as dog parks, these places have been shown to be social gathering places for dog guardians – a park for people with dogs. Location determination and sites for consideration are explored in this plan.

PROGRAMS AND SERVICES
Recreation Programming
The Department provides instructional, skill-based, and social programs for adults, youth, active agers, and special events that contain a wide-variety of offerings, as well as drop-in/day-use opportunities. The public is complementary about the Department’s offerings and also offers useful information for improvements including more diversification of offerings such as health and wellness, nature education, and arts and culture (and a larger focus on adults and the aging population), while expressing concern about trying to offer too much with limited resources. Facility limitations are impacting the ability to offer a more robust program offering.

Adaptive Programming
The community identified people with disabilities as a user group with limited opportunities provided by the Department. Inclusion services will assist in identifying reasonable and appropriate accommodations for people with disabilities.
Outdoor Recreation Programming
Even though the Jackson/Teton County community is surrounded by outdoor recreation opportunities, there are some in the community that cannot access them, because they are within National Parks and Forest, accessible only by car, or require specialized equipment to access. To provide accessible opportunities to outdoor recreation within its system, the Department should look to provide “front country” opportunities where appropriate to bring a taste of the back country.

After-School Programming
The Department has existing partnerships with the school district and seems to be the “go to” service provider within the community for after school programs and services for children, providing expansive programming for children through grade eight as well as summer time programming. The Department needs to consider the need for after-school programming in the planning of expansion of the recreation center.

River Recreation Management and Programming
The Department has taken over river access points in recent years currently has a River Management Plan in place. Since the operation of these sites is relatively new, it is expected that there will be operational challenges. Understanding the role the BLM tracts will play in the future of the system is also important, as many of these parcels are adjacent to the Snake River.

Nordic Trail Grooming
The Department does a great job in responding to operational and maintenance issues on the large network of Nordic trails, but often receives complaints of user conflict and complaints regarding the amount and scheduling of groomed trails. This pulls the Department in multiple directions.

Collaboration and Partnerships
Many in the community expressed concern that the size of the service profile of the Department limited its ability to deliver its core services. Well designed and documented collaboration and partnerships are service delivery possibilities to be explored under the right circumstances.
POLICIES AND PROCEDURES

Cost Recovery Philosophy and Policy, Fee Policy and Policies Regarding Access to Facilities and Services
All of these policies and procedures are related and must work together to be effective. In order to keep up with increasing expenses, experience across the country has shown that smaller periodic increases are much more tolerable than less frequent larger increases, and provisions are always made for assistance for those with economic need. With limited facilities, use policies are critical and must be adhered to for the benefit of all.

FUNDING

Department Budget
The Department experiences a funding deficit primarily in capital repair and replacement. It has been on a building and expansion boom over the past 15 years, and as a result, capital repair liability continues to grow. While it is able to maintain currently, most of the improvements are less than 20 years old, and in the next 10 years, significant funding will be required for upkeep. Over 50 miles of paved pathways have been constructed since 1998, and large capital overlay costs will begin on these facilities in the next 5-10 years.

The other funding deficit is through non-core service growth including such things as downtown restrooms, public right of ways, or other government buildings. Often the Department budget is evaluated as growing, but most is not driven by the Department or its users, but rather these other maintenance and support services.

Revenue Sources
Potential new funding sources are explored along with a look at user fees, park exaction and park impact fees, Specific Purpose Excise Tax (SPET), and Recreation District Tax. Expansion of sponsorships, partnerships and grants create additional opportunity for cost sharing, cost savings, and additional revenue.

OPERATIONAL AND ECONOMIC STABILITY

Core Services
Core services satisfy values and vision, typically benefiting all community members, or are seen as essential to the lives of under-served populations. It is not necessary that an individual participate in a specific recreational or cultural activity, or even step into a park setting to receive benefit. Having a nice park and trail system with trees, open space, and recreational amenities available in the community adds to home values and a quality living environment and provides opportunity for partaking in activity, as well as contributes to clean air and provides relief from urban density. To achieve these and other outcomes, an agency invests its tax dollars in these core services.

Parks and recreation services provide value to the community as a whole in terms of economic, environmental, and social benefits. Tax dollars support these “core services.”
Beyond those benefits realized by all residents, the agency is also able to provide specific activities and services that benefit individuals. There are not adequate tax dollars to completely support this level of activity, and it is appropriate and common to charge at least minimally for these services. The Department’s Cost Recovery Policy provides the framework by which all services are categorized and set up for cost recovery targets (some will be 0%). It is crucial that the Department not take on more than it can handle, and the ability to attract revenue to support activities actually makes them able to be offered.

In addition to mission-based responsibilities, the Department is charged with care of facilities outside of the park system (public facility grounds cemetery, restrooms, trees, etc.). Although these may not meet the core mission of the Department of Parks and Recreation, they may be core services of the County and/or the Town. As expenses to provide the acceptable level of service increase over time, tax support revenue has to keep pace.

**Level of Service Standards**

Satisfaction with the Parks and Recreation Department is very strong and exceeds national standards as measured from survey comparison with other communities. However, two operational issues float to the top of items needing more attention: the quality/condition of the Recreation Center at #1 of 21 items queried and quality/maintenance of pathways at #2. Overall, there is a sense that the Department is doing a great job with limited resources and increasing demands, but concern about the capacity to keep up with an increasing demand.

**Organizational Structure**

A combined County/Town Parks and Recreation Department is somewhat unique and comes with distinctive challenges, particularly related to level of service provision to both the urban and rural setting. It is otherwise organized in a traditional fashion with three functional management divisions including Recreation Programs, Recreation Center, and Parks. Full-time staff are supplemented with part-time staff. One of the biggest issues facing the Department is the impact of the housing crisis in Jackson that is also affecting other mountain resort towns.

Due to the size of the service profile of the Department, and the nature of a small community, staff are consistently pulled in many directions. All sources of input noted that while the Department meets a high standard, many were concerned that the organizational efficiency was not sustainable as the Department is asked to continue existing responsibilities, while taking on additional responsibilities.

**Marketing and Communication**

The Department should be commended for its marketing efforts to date. Even though many sources of input shared the sentiment that there are some gaps in communication, the Department is held with high regard in the community. Internally, marketing efforts are inconsistent and the Department should focus on consistent message, identity, and branding.
Recommendations and Action Plan

The following recommendations are drawn from the public input, inventory, level of service analysis, findings feedback, and all the information gathered during the strategic planning process with a primary focus on maintaining, sustaining, and improving parks, recreation, open space, and trails. All cost estimates are in 2017 figures where applicable. Most costs are dependent on the extent of the enhancements and improvements determined or known at this time.

Timeframe to complete is designated as:
- Short-Term/Immediate (up to 2 years)
- Mid-Term (2-5 years)
- Long-Term (5-10 years)

Capital Priorities

<table>
<thead>
<tr>
<th>TIER ONE (HIGH PRIORITY) – SHORT TERM/IMMEDIATE (UP TO 2 YEARS)</th>
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</thead>
<tbody>
<tr>
<td>EXPAND RECREATION CENTER</td>
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<tr>
<td>Actions</td>
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<tr>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Continue to improve Recreation Center in a phased approach</td>
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<tr>
<td>Modernize and refresh existing facilities</td>
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<tr>
<td>Increase overall capacity of the facility</td>
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<tr>
<td>Provide additional gymnasium space</td>
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<tr>
<td>Provide health and fitness multi-use space</td>
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<tr>
<td>Re-configure site circulation and parking</td>
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<tr>
<td>King Street Extension</td>
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<tr>
<td>PARK SITE DEVELOPMENT</td>
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<tr>
<td><strong>Actions</strong></td>
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<tr>
<td>Athletic Fields Master Planning</td>
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<tr>
<td>- Develop Stilson Property to accommodate athletic fields:</td>
</tr>
<tr>
<td>▪ Consolidating adult and general purpose athletic fields</td>
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<tr>
<td>▪ Providing active agers park amenities</td>
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<td>▪ Developing a gateway to transit, trails, and river recreation</td>
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<tr>
<td>- TCSD High School Fields Re-development</td>
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<tr>
<td>▪ Re-purpose adult softball fields to consolidate youth baseball fields at this site</td>
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<tr>
<td>▪ In collaboration with TCSD, increase capacity for youth multi-purpose fields at this site</td>
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<tr>
<td>▪ Evaluate lawn in front of High School</td>
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<tr>
<td>▪ Evaluate un-developed land east of Tennis Courts</td>
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<tr>
<td>▪ Consider land acquisition to increase youth multi-purpose athletic field capacity</td>
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<tr>
<td>Develop Off-leash dog park opportunities in east and west Jackson:</td>
</tr>
<tr>
<td>▪ Sites to consider are Phil Baux, the Fairgrounds, Wayne May, Mike Yokel.</td>
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<tr>
<td>▪ Develop partnerships with local interest groups to co-develop sites</td>
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<tr>
<td>Develop Accessibility Master Plan to serve as ADA transition Plan addressing:</td>
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<tr>
<td>▪ Park amenities</td>
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<tr>
<td>▪ Facility Parking</td>
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<tr>
<td>Tennis Court re-evaluation</td>
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<tr>
<td>▪ Consider temporary or permanent conversion to pickleball</td>
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</tbody>
</table>

| Stilson Site development estimated cost - $3-4 million (Cost estimates based on proposed master plan) | Staff planning and development | Budget sheet can be found in *Appendix I* |
| High School site re-development Estimated cost - tbd |               |               |
| Site development estimated cost - $75,000 to $500,000 (Cost estimates based on regional comparison and dependent on amenities. Budget sheet can be found in *Appendix I*) |              |               |
| Site and project dependent. Establish annual budget allotment |                |               |
**TIER TWO (MEDIUM PRIORITY) – (2-5 YEARS)**

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
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</thead>
<tbody>
<tr>
<td>Re-develop Phil Baux Park to become a gateway connections park:</td>
<td>Site development estimated cost - $400,000 to $550,000 (Cost estimates based on regional comparison and dependent on amenities. Budget sheet can be found in <em>Appendix I</em>)</td>
<td></td>
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<tr>
<td>• Creating connections to the National Forest trail system</td>
<td>Staff planning and development</td>
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<td>• Developing a special event space to accommodate outdoor concerts/amphitheater</td>
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<td>• Incorporating outdoor alternative sports/opportunities:</td>
<td>Dependent on amenities. Estimates/ amenity include:</td>
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<tr>
<td>▪ Climbing</td>
<td>Playgorund - $100-250k</td>
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<td>▪ Skateboarding</td>
<td>Natural Play Area - $40 – 150k</td>
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<td>▪ Broomball</td>
<td>Signage - $500/each</td>
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<td>▪ Inline skating</td>
<td>Benches – $1,500/each</td>
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<td>▪ Nature play areas</td>
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<tr>
<td>Complete Wayne May Park Development</td>
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<td>Complete Karns Meadow Park Master Plan to include:</td>
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<td>• Passive/Natural Park</td>
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<td>• Habitat and Resource Education</td>
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<td>• Public Access to Flat Creek</td>
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<tr>
<td>• Interior soft Pedestrian Trails</td>
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<tr>
<td>Develop South Park Landing (west) base, prioritizing</td>
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<tr>
<td>• Parking</td>
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<td>• Vehicle circulation</td>
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<td>• River bank restoration</td>
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<td>BLM Parcel 9/10 Park Base Development</td>
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<tr>
<td>• Determine appropriate site plans for each BLM parcel.</td>
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<tr>
<td>• Evaluate the potential role of BLM parcels in the Parks system and conduct land-use planning studies on parcels to be acquired.</td>
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<tr>
<td>It is important to note that determining an appropriate use does not imply development.</td>
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<tr>
<td>Collaborate with Community Pathways to ensure continued development and connectivity of trails and pathways to parks and recreation facilities</td>
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<tr>
<td>Balance conservation and development, focusing on developing the Town Core while</td>
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Teton 
Capital 

and proximity 
amenity 

Multi 
sites 
developed 
development 
Area 

Selection 
type 
classified 

Island/Hoback 

opportunities 

Determine 
Pursue 
Develop 

THREE 

– 

area. 

fer 

exaction 

3+ 

x 

x 

Non 

Multi 

exaction 

acquisition 

staff planning and development 

TIER THREE (LOW PRIORITY) – LONG TERM (5-10 YEARS)

PARK SITE DEVELOPMENT

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Capital Impact</th>
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</thead>
</table>
| Develop Teton Village Park including:  
  - 3+ acre “community/neighborhood” type park. Site should include:  
    - Playground  
    - Shelter  
    - Non-programmed play areas  
  - Multi-purpose turf athletic fields |  |  |
| Pursue land acquisition for Hog Island/Hoback Neighborhood Park through the exaction process. Park area should be classified as a “community/neighborhood” type park. Site should include:  
  - Playground  
  - Shelter  
  - Non-programmed play areas | Staff planning and development |  |
| Area should also be considered for joint development with the school district of multi-use athletic field. |  |  |
| Determine feasibility for water play features at parks (ex. splash pad) – There are several sites in the system where this type of amenity might be appropriate. Of chief concern should be transportation and proximity to other children-related facilities and activities. |  |  |

Dependent on project  

Estimates/amenity include:  

Natural Play Area – $40-150k
### Programming and Service Priorities

<table>
<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
</tr>
</thead>
</table>
| **Develop Health and Wellness Programming to include:**  
  - Fitness in parks  
  - Health education  
  - Community and corporate wellness  
  - Support and assist systems of care organizations and programs  
  Promote young adult, adult, and active aging programming through targeted marketing efforts.  
  - Develop more nature-based programming (classes, trips, and events).  
  - Develop more fitness opportunities (indoor/outdoor classes) and through partnerships with alternative providers.  
  - Develop more arts and culture programming (classes, trips, and events). | Staff planning and development | On-going |
| **Develop Active Agers Programming**  
  - Identify additional indoor/outdoor opportunities for Pickleball through programming (tournaments), scheduling, and development.  
  - Program “adventure” or camp type opportunities for adults.  
  - Program integrated fitness opportunities. | | |
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<thead>
<tr>
<th>Actions</th>
<th>Operational Impact</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td><strong>Continue Program Diversification and Community Outreach</strong></td>
<td></td>
<td>Ongoing</td>
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<tr>
<td>• Continue to develop multi-cultural opportunities for engagement and inclusion of the Latino population and others.</td>
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<td>• Evaluate scheduling of programs to accommodate parents/children/multi-generations.</td>
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<td>• Continue to partner with alternate providers to strengthen the offerings within the community.</td>
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<td>• Continue to identify underserved populations and the barriers of entry that exist within the system; with a particular attention to low and moderate-income populations.</td>
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<td>• Evaluate the fit of programs through a services assessment.</td>
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<td><strong>Adaptive/Accessible Programming</strong></td>
<td>Staff planning and development</td>
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<td>• Develop and communicate opportunities for inclusive services within current programming.</td>
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<tr>
<td>▪ Dedicate staff liaison to coordinate efforts with programmers.</td>
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<td>• Address program access through marketing materials and registrations system.</td>
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<tr>
<td>• Provide programming opportunities for seniors, special needs, and through Special Olympics activities.</td>
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<tr>
<td><strong>Continue to Build Partnerships and Collaborative Programming with Alternative Providers:</strong></td>
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<tr>
<td>• St. John’s Hospital</td>
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<td>• Teton County Health Department</td>
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<td>• Teton County Library</td>
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<td>• Teton County Senior Center</td>
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<tr>
<td>• Teton County School District</td>
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<tr>
<td>• Public/Private Partnerships</td>
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<tr>
<td>• Snake River Fund</td>
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<td>• Friends of Pathways</td>
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<td>• Jackson Hole Public Art</td>
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## Policy and Procedure

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<th>Actions</th>
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<td><strong>Review and Update Cost Recovery Policy</strong></td>
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| - Utilizing Parks and Recreation Advisory Board input for sorting during the next review of policy.  
- Analyze definitions for direct and indirect costs, and ensure that consistency, accurate tracking, and measurements are in place.  
- Consider adjustments to the ranges in each tier, if necessary.  
- In conjunction with services assessment, determine the viability and effectiveness of programs. |                                      | 2019      |
| **Recreation Center Access/Use Policy**           |                                     | On-going  |
| - Maximize use of the Aquatics Scheduling Policy.  
- Develop an operations philosophy to balance the facility use at the Recreation Center, shifting group use away from prime time. | Staff planning and development       |           |
| **Field Scheduling Policy**                       |                                     | Immediate |
| - Use aquatics scheduling policy as a model to create field/facility scheduling policy. |                                      |           |
| **River Access Maintenance Policy**               |                                     | Immediate |
| - Develop communication strategy regarding current maintenance and management policies.  
- Re-evaluate Management Plan prior to expiration. |                                      |           |
## Funding

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<th>Actions</th>
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<th>Timeframe</th>
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| **Recreation Center User Fees (Update)**  
  - Develop user fee strategy that reflects update to cost recovery goals and objectives.  
  - Incrementally increase per hour pricing for swim lanes, the gymnasium, etc. Effort should take several years. | Staff planning and development | Immediate |
| **Park Facility Fees (Update)**  
  - Develop user fee strategy that reflects update to cost recovery goals and objectives.  
  - Incrementally increase per hour pricing for athletic fields, shelter rentals, etc. Effort should take several years. | Staff planning and development | Immediate |
| **Sponsorship/Partnership Policy**  
  - Develop more comprehensive sponsorship and partnership policies to encourage these strategies and allow for an easier communication and implementation process.  
  - Specifically address gift giving/donations within the policy to encourage, provide clarity, establish process, articulate selection criteria and approval mechanism. | Staff planning and development | Immediate |
| **Park Exaction Land Development Regulation Update and Text Amendment**  
  - Add land acceptance criteria to existing language  
  - Assure adherence to valuation of fees-in-lieu calculation  
  - Explore park impact fee to generate park development funding | Staff planning and development | Immediate |
## Operations

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<tr>
<td><strong>River Access Maintenance</strong>&lt;br&gt;• Develop a community education strategy for the river access points operated by the Department.&lt;br&gt;• Evaluate the effectiveness of the current Management Plan on a yearly basis.</td>
<td></td>
<td>Immediate</td>
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<tr>
<td><strong>Town of Jackson Downtown Public Restrooms</strong>&lt;br&gt;• Track the true cost of service and ensure proper funding to keep up with increasing expenses.</td>
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<td>On-going</td>
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<td><strong>Town/County Non-Park Grounds Maintenance Services</strong>&lt;br&gt;• Conduct a services assessment to determine potential of contracting/partnership services, based on ability to continue current levels of service.&lt;br&gt;• Develop communication strategy to show impact of service.&lt;br&gt;• Continue to develop partnerships.&lt;br&gt;• Evaluate contracting some services where financial savings is possible.</td>
<td>Staff planning and development</td>
<td>Ongoing/Immediate</td>
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<td><strong>Develop a new Marketing and Communications Strategy that includes:</strong>&lt;br&gt;• Consolidate marketing efforts to dedicated staff member to ensure consistency.&lt;br&gt;• Develop a strategic marketing plan that shifts efforts toward story-telling, relationship building, and connection, and away from program/logistic focused marketing.&lt;br&gt;• Provide more communication about partners and programs.&lt;br&gt;• Continue to establish platforms for outreach/feedback.</td>
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<td>With update of the Communication and Marketing Plan.</td>
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<td>Actions</td>
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| Continue to evaluate the action plan provided in this Strategic Plan and how opportunities fit into the long term priorities on an annual basis. Criteria for decision making should include:  
  - Fit with multiple planning documents  
  - Community needs/demand  
  - Funding and opportunity  
  - Urgency  
  - Operational efficiency |                     | On-going    |
RESOLUTION ADOPTING TETON COUNTY/JACKSON PARKS AND RECREATION STRATEGIC PLAN

WHEREAS, the 2018 Parks and Recreation Strategic Plan provides the foundation for the well-being of county and town residents through responsive and efficient services necessary to support the residential, business, environmental, and historical interests that define the community; and

WHEREAS, the 2018 Parks and Recreation Strategic Plan enhances the quality of life for those who live here, and the experience for those who visit, through facilities and programs that contribute to public health, safety, and welfare; and

WHEREAS, the 2018 Parks and Recreation Strategic Plan appreciates the unique environmental resource and scenic beauty; and acknowledges responsibilities to future generations; and

WHEREAS, the Parks and Recreation Director and Staff along with the Parks and Recreation Advisory Board led a project team in preparing the 2018 Parks and Recreation Strategic Plan. The year-long development plan included community and stakeholder engagement, an inventory and level of service analysis, demographics and trends analysis, identification of findings and key issues, visioning, and development of an action plan addressing recommendations for capital assets and operations, along with potential funding strategies; and

WHEREAS, the 2018 Parks and Recreation Strategic Plan looked at the following key issues and opportunities: Existing and Future Facilities, Programs and Services, Policies and Procedures, Funding, and Operational and Economic Stability.

WHEREAS, the attached Teton County/Jackson Parks and Recreation Strategic Plan shall be adopted by this Resolution and shall serve as the guiding document for future Parks and Recreation planning. The Plan may be altered or amended at any time jointly by the Town of Jackson and Teton County and the document solely serves as a guiding document and is not a regulation under the Administrative Procedures Act, and

NOW THEREFORE, BE IT RESOLVED that the Jackson Town Council and the Board of County Commissioners of Teton County hereby adopt the attached 2018 Teton County/Jackson Parks and Recreation Strategic Plan.

Adopted on the ____ day of ________________, 2018.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

________________________
Mark Newcomb, Chair

(Seal)

Attest:

________________________
Sherry L. Daigle, County Clerk
TOWN OF JACKSON

___________________________________
Pete Muldoon, Mayor

(Seal)

Attest:

___________________________________
Sandra P. Birdyshaw, Town Clerk
The purpose of this item is to present amendments to the START Joint Powers Agreement (JPA) which were discussed and directed at the retreat in February of 2018.

The Town Council and the County Commission discussed potential amendments to the START JPA at the February joint retreat this year and the Town Council directed the Town Attorney to prepare draft amendments based on the discussion. Adopting the changes as proposed provides some clarification for the START Board and the Transit Director in managing daily operations and expectations for decision making and the changes should have a positive impact moving forward. The requested changes were focused on:

- Clarifying the role of the START Board as it relates to broad policy decisions.
- Clarifying the role of the START Board for decisions that would affect the adopted budget.
- Clarifying the purpose of the operating plan and its relation to the budget.
- Communicating decisions that may affect the broader public, existing policy and the approved budget.
- Clarifying that internal operational and management decisions are made by the Transit Director as approved by the Town Manager.
- Clarifying that no new obligations regarding management, control, maintenance or supervision of property facilities or programs that significantly impact the broader public, the budget, or deviate from existing policy can be approved by the Board without the Town and County’s approval.

Clarifying that the START Board can enter into contracts so long as they are within the approved budget, operating plan and policies already approved by the Town and County, also I would like to extend a special Thank You to Town Attorney, Audrey Cohen-Davis who reviewed the START JPA and spent notable time carefully listening to the audio from the meeting to ensure all points were captured and addressed in the proposed third amendment to the agreement. The Town Attorney also met with Transit Director, Darren Brugmann along with administrative staff from the Town and provided the proposed amendments to County
staff, and the START board for further review and comment. The amendments proposed accurately reflect the Council and Commissions discussion and direction provided at the retreat.

Due to the issues associated with budget approval, administrative decision making, and the political nature of rates, fares, routes and funding, the Town Manager and County Administrator would like to suggest as we work forward into the future with the Elected officials on the JPA we transition the START Board into more of an advisory role similar in nature to the Parks and Recreation Board.

An advisory focus for this board would help to clarify decision making and set expectations in terms of what decisions can and may be overturned by the Council and Commission as well as the board’s role in providing direction to the Transit Director and how that interaction functions successfully when combined with the Transit Director reporting directly to the Town Manager. An example is on page 2 of the agreement where the amendment clarifies that significant changes to the routing, scheduling, fares, etc. need to be communicated to the Town and County but the reality in many instances is that the elected officials are oftentimes acting as the final decision maker for these significant changes. As noted, the proposed amendments reflect the Council and Commission’s direction and staff would encourage further adjustments be consider as we work forward in the future.

The Council and Commission have many options to consider including:

1. Approve the draft Third Amendment to the START JPA as presented and direct the Town Attorney to send the amendment to the Wyoming Attorney General for approval.
2. Adopt the amendments and direct staff to draft further amendments to the START JPA to reflect the role of the START Board as more of an advisory role.
3. Discuss the proposed amendments and continue the item to the next available Joint Information Meeting (JIM).
4. Take no action thereby keeping the current START JPA intact.
5. Other.

ATTACHMENTS
DRAFT Third Amendment to the Agreement Establishing Jackson-Teton County Joint Powers Transit System.

FISCAL IMPACT
There are no direct fiscal impacts to adoption of this third amendment.

STAFF IMPACT
The staff impact of preparing the amendment is notable in that the Town Attorney spent considerable time drafting and confirming direction provided from the JIM retreat in February. Additional follow up staff time will be spent on submitting the amendment to the Wyoming Attorney General for review and approval, obtaining signatures from the Mayor and Commissioner Chairman and Clerks, and scanning and archiving the document in the permanent records of the Town of Jackson.

The staff impact of the changes is positive in that the changes clarify to a certain extent the role of the Board in making decisions.

As noted above, the Town Manager and County Administrator both encourage our Elected’s considered further refinements to the agreement to more of an advisory role for the START board.

STAKEHOLDER ANALYSIS
The stakeholders involved in this item include the START Board, Town Council, and County Commission in that the amendments to the agreement help clarify the START Board’s role in certain situations. The Transit Director is a stakeholder in that he desires clarification in terms of the Board’s role on various issues. The
Town Manager and County Administrators are stakeholders because they are invested in the success of this department and the Town Manager directly supervises the Transit Director and monitors budget expenses and the impact of decisions on the budget. The community is a stakeholder because public dollars are spent to provide efficient and effective transportation options and because they are served by START Bus.

**LEGAL REVIEW**
Complete. The Third Amendment was prepared by the Town Attorney and reflects the direction provided at the JIM Retreat in February of this year. The amendment was also reviewed by the County Attorney’s office.

**RECOMMENDATION**
The Town Manager and County Administrator recommend the JPA be approved as the Third Amendment to the START JPA.

**SUGGESTED MOTION**
Should the Town Council and County Commission be ready to take action, one possible motion would be:

I move to approve the draft Third Amendment to the START JPA as presented and direct the Town Attorney to send the amendment to the Wyoming Attorney General for approval.
THIRD AMENDMENT TO THE AGREEMENT ESTABLISHING JACKSON-TETON COUNTY JOINT POWERS TRANSIT SYSTEM

This Third Amendment to the Agreement Establishing Jackson-Teton County Joint Powers Transit System is made and entered into to be effective as of the ______ day of ____________, 2018, by and between the Town of Jackson, Wyoming, a Municipal Corporation of the State of Wyoming, hereinafter referred to as “Town”, and Teton County, Wyoming, a duly organized county of the State of Wyoming, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, The Town of Jackson and Teton County entered into an Agreement establishing the Jackson-Teton County Joint Powers Transit System (“JPA”) on September 4, 2001; and

WHEREAS, a First Amendment to the JPA effective June 6, 2011 was made to reflect a financing split for sales tax distributions; and,

WHEREAS, a Second Amendment to the JPA effective on June 12, 2015 amended the JPA to reflect a change in the hiring, dismissal, and management of the Transit Director; and,

WHEREAS, the parties wish to further amend the JPA to clear up ambiguities on the role of elected officials and the delegation of authority to the START Board in connection with the method of operation, operating plan, budget, and agents and employees of START.

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

Paragraph 5. Delegation of Authority for Operation, Regulation, Control and Maintenance of Property, Facilities and Programs, shall be amended with the following that reflects a clarification on decisions affecting existing policy of the Parties.

The Board is hereby delegated the authority to control, maintain, manage, operate and regulate the transit system described herein, whether
individually or jointly owned, as well as all related equipment and facilities. Such authority specifically includes the routing and scheduling of bus services, establishing fares, advertising, and seasonal adjustments to bus services within the approved operating plan submitted by the Board with the Budget ultimately approved by the Parties. Any significant changes or deviations that may affect the broader public, existing policy and the approved Budget shall be communicated to the Parties.

**Paragraph 8** shall be amended to reflect clarification on the operating plan:

The fiscal year of the Board shall be July 1 to June 30th of each year. The Board shall prepare and submit its proposed budget, together with its proposed operating plan, to the Parties not later than March 20th of each year. The operating plan shall be sufficiently detailed to eliminate ambiguities with regard to the nature and extent of any management decisions, proposed capital projects or expenditures or personnel hiring. The operating plan shall also include any policy changes or deviations directed by both Parties that will affect the final Budget. The Board will provide the Parties with reports detailing its activities and expenditures on a quarterly/seasonal basis. Upon approval of a START budget by the Town and County, the Board shall not be required to seek subsequent approval of expenditures from these agencies so long as the Board does not exceed the approved Budget, except for internal operational and management decisions. Notwithstanding the foregoing, the Board shall be required to comply with all applicable procurement procedures established by the Town.

**Paragraph 9.** Method of Operation, *paragraph 2*, shall be amended with the following that reflects a clarification on the day to day control, management, supervision, operation and regulation of the transit system and facilities:
Within the foregoing constraints, the day to day control, management (including special event management), supervision, operation and regulation of the transit system and facilities shall be under the administration of the Board. No new obligations to engage in the management, control, maintenance or supervision of property, facilities or programs that may significantly impact the broader public, the approved Budget or deviate from existing policy may be delegated to the Board by the Town or County, or assumed by the Board, without the approval of both of the Parties. No capital projects may be undertaken and no unbudgeted capital expenditures may be incurred without the prior approval of both Parties.

Paragraph 10. Agents and Employees, paragraph 1, shall be amended with the following that reflects a change in the authority regarding contracts, which shall now read as follows:

The Board shall, in carrying out the purposes, duties and functions set forth herein, have the authority to contract with organizations providing services, funding or facilities needed to carry out the purposes of this Agreement within the approved Budget, operating plan, and policies approved by the Parties for each year. All contracts with such organizations shall be approve as to form, in advance, by the Town Attorney and County Attorney.

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

TOWN OF JACKSON, WYOMING
In accordance with Wyo. Stat. §16-1-105(a)(ii), I hereby certify that the foregoing Third Amendment to the Agreement establishing the Jackson-Teton County Joint Powers Transit System was received by this office and has been reviewed and is approved as to form and with respect to compliance with the Constitution and Law of the State of Wyoming. The approval of this Third Amendment to the September 4, 2001
Agreement Establishing Jackson-Teton County Joint Powers Transit System is limited to the terms and conditions of the Agreement and Amendment themselves, and the approval does not extend to any activities, services, project or financing of any activities, services or project contemplated under the Agreement or Amendment.

Approved this ____ day of ______________, 2018.

ATTORNEY GENERAL

By: ______________________________
    Peter Michael
    Attorney General
    State of Wyoming