

JOINT RESOLUTION NO. 2020- 14

**A JOINT RESOLUTION APPROVING PROPOSITIONS TO IMPOSE THE 1%
SPECIFIC PURPOSE SALES AND USE TAX IN CROOK COUNTY, STATE
OF WYOMING, FOR THE EXCLUSIVE PURPOSE OF FUNDING SPECIFIC
PURPOSES FOR SPECIFIC AMOUNTS; THE PROPOSITION TO BE VOTED
ON AT THE GENERAL ELECTION TO BE HELD ON TUESDAY,
NOVEMBER 3, 2020.**

WHEREAS, pursuant to W.S. 39-15-203(a)(iii), 39-15-204(a)(iii), 39-16-203(a)(ii), 39-16-204(a)(ii), and 39-16-202(e) counties may impose an excise tax not to exceed two percent (2%) (hereinafter the "Tax") upon retail sales of tangible personal property, admissions and services made, and upon storage, use and consumption of tangible personal property, within the county, for specific purposes and in specific amounts as authorized by the qualified electors of the county; and

WHEREAS, the Board of County Commissioners (the "Commissioners") of Crook County, State of Wyoming, (the "County"), in response to the needs of the County and requests received from the Town of Moorcroft, the Town of Pine Haven, the City of Sundance, and the Town of Hulett (hereinafter, being sometimes individually referred to as "Sponsoring Entity" and collectively referred to as the "Sponsoring Entities"), has determined to make such source of funding available in the following specific amounts for the following specific purposes (the "Projects"):

1. For the following Projects not to exceed \$7,500,000.00 and interest earned thereon:
 - a. \$1,500,000.00 to the Town of Hulett for purchase of equipment for the public works department; for improvements to streets, curbs and sidewalks, for replacement, extension, enlargement and improvement of water and sewer systems, and for other infrastructure improvements, including design and engineering for each purpose; and for early retirement of debt incurred for previous street, water and sewer projects.
 - b. \$1,500,000.00 to the Town of Moorcroft for improvements to streets, sewer, water, landfill, Moorcroft Town Center, park and other infrastructure improvements including design and engineering for each purpose, and for the early retirement of debt incurred for previous street, water and sewer projects.
 - c. \$1,500,000.00 to the Town of Pine Haven for replacement, enlargement and extension to water and sewer systems, improvements to streets and drainage, and other infrastructure projects, including design and engineering for each purpose.
 - d. \$1,500,000.00 to the City of Sundance for street improvement, sewer, water and lagoon upgrades, including design and engineering, and other infrastructure improvements, and for early retirement of debt incurred for previous street, water and sewer projects.

e. \$1,500,000.00 to Crook County to purchase Road and Bridge equipment and construction materials to rebuild county roads.

WHEREAS, the County Commissioners have determined that a 1% Specific Purpose Sales and Use Tax should be imposed and extended within the County pursuant to W.S. 39-15-203(a)(iii), 39-15-204(a)(iii), 39-16-203(a)(ii), 39-16-204(a)(ii), and 39-16-202(e) in order to fund the above-referenced Projects; and

WHEREAS, the County Commissioners have determined it is necessary to submit the proposition for imposition of the Tax to the qualified electors of the County; and

WHEREAS, this tax will end when the amounts set forth above have been collected; and

WHEREAS, pursuant to the provisions of W.S. 39-15-203(a)(iii)(A) and 39-16-203(a)(ii)(A), before any proposition to impose or extend the Tax shall be placed before the qualified electors of the County, the County Commissioners and the governing bodies of at least two-thirds (2/3) of the incorporated municipalities within the County shall adopt a resolution approving the propositions, setting forth a procedure for qualification of a ballot question for placement on the ballot, and specifying how excess funds shall be expended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODIES OF ALL OF THE MUNICIPALITIES OF CROOK COUNTY AND THE BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY, STATE OF WYOMING, THAT:

Section 1. At the general election to be held in Crook County, State of Wyoming, on Tuesday, November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m., there will be submitted to the qualified electors of the County a proposition for imposing a 1% Specific Purpose Sales and Use tax for the exclusive purpose of funding the above-referenced Projects, as more particularly set forth in the ballot question at the general election and in the Crook County General Election Proclamation, to be published by the Crook County Clerk in accordance with law.

Section 2. The election on the proposition shall be held at those Election Districts, Precincts and Polling Places as more particularly set forth in the Crook County General Election Proclamation, to be published by the Crook County Clerk in accordance with law.

Section 3. The votes, including absentee votes, shall be registered on official ballots. The ballots shall set forth the following proposition:

SPECIFIC PURPOSE TAX PROPOSITION

There is one (1) proposition proposed for funding through a 1% Specific Purpose Sales and Use Tax.

Shall Crook County be authorized to impose an additional one percent (1%) Specific Purpose Sales and Use Tax, within Crook County, to be used and applied for funding the specified purposes provided below in the specified amounts knowing that the tax will end when the amount is collected and cannot be used for ordinary operation of local government:

PROPOSITION

To collect a total, not to exceed \$7,500,000.00 and interest earned thereon for the following projects knowing that this tax will end when this amount is collected:

- a. \$1,500,000.00 to the Town of Hulett for purchase of equipment for public works department; for improvements to streets, curbs and sidewalks, for replacement, extension, enlargement and improvement of water and sewer systems, and for other infrastructure improvements, including design and engineering for each purpose; and for early retirement of debt incurred for previous street, water and sewer projects.
- b. \$1,500,000.00 to the Town of Moorcroft for improvements to streets, sewer, water, landfill, Moorcroft Town Center, park and other infrastructure improvements including design and engineering for each purpose, and for the early retirement of debt incurred for previous street, water and sewer projects.
- c. \$1,500,000.00 to the Town of Pine Haven for replacement, enlargement and extension to water and sewer systems, improvements to streets and drainage, and other infrastructure projects, including design and engineering for each purpose.
- d. \$1,500,000.00 to the City of Sundance for street improvement, sewer, water and lagoon upgrades, including design and engineering, and other infrastructure improvements, and for early retirement of debt incurred for previous street, water and sewer projects.
- e. \$1,500,000.00 to Crook County to purchase Road and Bridge equipment and construction materials to rebuild county roads.

FOR THE TAX _____

AGAINST THE TAX _____

Section 4. The County Clerk shall cause the Crook County General Election Proclamation to be published in accordance with law.

Section 5. The election on the propositions shall be held, conducted and the results canvassed as provided by the Wyoming Election Code of 1973, more particularly, W.S. 22-21-101 to 22-21-112, inclusive.

Section 6. In the event that the proposition shall be approved by the qualified electors of Crook County, the Tax shall commence on the first day of the calendar quarter after sixty (60) days' notice has been given to the vendors in accordance with W.S. 39-15-203(a)(iii)(E), 39-16-203(a)(iii)(E), 39-15-207, 39-16-207 or on the first day of the calendar quarter after one hundred and twenty (120) days' notice has been given to the vendors selling from a printed catalog in accordance with W.S. 39-15-203(a)(iii)(E), 39-16-203(a)(iii)(E), 39-15-207, or 39-16-207. Upon receipt of proceeds of the Tax from the Wyoming Department of Revenue, the Crook County Treasurer shall distribute said proceeds, monthly, to each entity in the same proportion as its cost is to the total cost of all purposes approved in accordance with W.S. 39-15-203(a)(iii) and 39-16-203(a)(ii) on the November 3, 2020 general election ballot. Upon distribution of the total approved amount in Tax funds to the Entities (or such lesser amount if the Entities have agreed to terminate the Tax pursuant to W.S. 39-15-203(a)(iii)(G) and 39-16-203(a)(ii)(G)), excess Tax funds shall be retained by the Crook County Treasurer for one (1) year for refund of overpayments. After one (1) year, the excess Tax funds (less any refunds), plus any interest earned thereon, shall be transferred to the sponsoring entities in the same proportion to the total purposes approved in accordance with W.S. 39-15-203(a)(iii) and 39-16-203(a)(ii) on the November 3, 2020 general election ballot. The excess Tax funds, and interest thereon, shall be used for the Projects set forth in the proposition for each Entity.

Section 7. Before the propositions may be placed before the qualified electors of Crook County, the County Commissioners and the governing bodies of at least two-thirds (2/3) of the four (4) incorporated municipalities within Crook County, WY (Hulett, Moorcroft, Pine Haven and Sundance) must adopt this joint resolution as required by W.S. 39-15-203(a)(iii)(A) and 39-16-203(a)(ii)(A).

Section 8. The passage of this joint resolution shall constitute written notification to the County Clerk, in accordance with W.S. 22-21-103, specifying the date of the election and the propositions, and shall further constitute approval as required by W.S. 39-15-203(a)(iii)(A) and 39-16-203(a)(ii)(A).

Section 9. Should any part or provision of this joint resolution ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this joint resolution is severable.

Section 10. This specific purpose excise tax will end in accordance with W.S. 39-15-203(a)(iii) and W.S. 39-16-203(a)(ii), when the amounts set forth above have been collected.

ADOPTED AND APPROVED by the Town Council in an open meeting on 4-14-2020

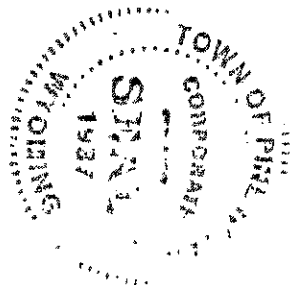
TOWN OF PINE HAVEN, STATE OF WYOMING

Bill Cunningham
Bill Cunningham, Mayor

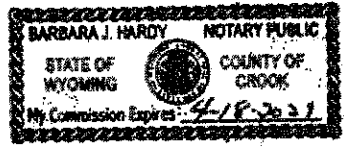
State of Wyoming }
County of Crook }

Signed or attested before me on April 14, 2020 by Bill Cunningham, Mayor on behalf of the Town of Pine Haven, Wyoming.

(Seal)



Barb Hardy
Barb Hardy, Town Clerk
My commission expires: 4-18-2021



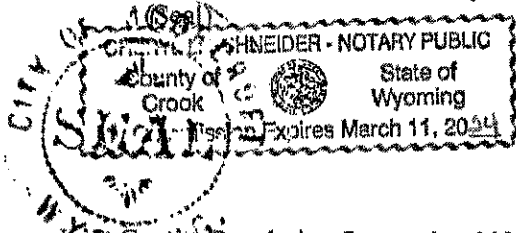
ADOPTED AND APPROVED by the Town Council in an open meeting on 4-13-2020

TOWN OF MOORCROFT, STATE OF WYOMING

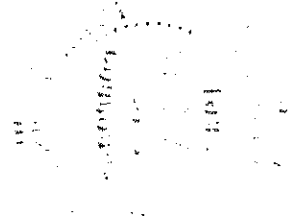
Clell (Dick) Claar
Clell (Dick) Claar, Mayor

State of Wyoming }
County of Crook }

Signed or attested before me on April 13, 2020 by Clell (Dick) Claar, Mayor on behalf of the Town of Moorcroft, Wyoming.



Cheryl F. Schneider
Cheryl Schneider, Town Clerk-Treasurer
My commission expires: March 11, 2024



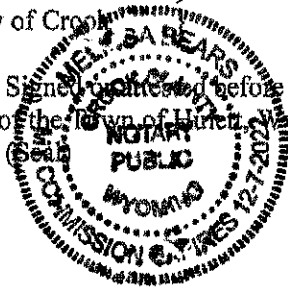
ADOPTED AND APPROVED by the Town Council in an open meeting on 4/1/2020

TOWN OF HULETT, STATE OF WYOMING

Ted Parsons
Ted Parsons, Mayor

State of Wyoming }
County of Crook }

Signed or attested before me on 4-1, 2020 by Ted Parsons, Mayor on behalf of the Town of Hulett, Wyoming.



Melissa Bears
Melissa Bears, Town Clerk
My commission expires: 12-7-2022

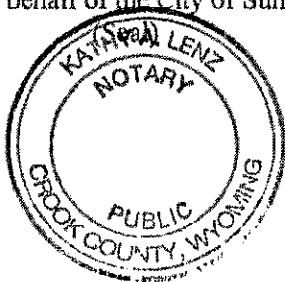
ADOPTED AND APPROVED by the Town Council in an open meeting on 4-1-2020

CITY OF SUNDANCE, STATE OF WYOMING

Paul Brooks
Paul Brooks, Mayor

State of Wyoming }
County of Crook }

Signed or attested before me on April 7, 2020 by Paul Brooks, Mayor on behalf of the City of Sundance, Wyoming.



Katby A. Lenz, MMC
Katby Lenz, City Clerk
My commission expires: 10-05-2023

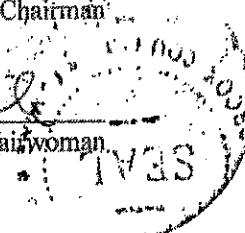
ADOPTED AND APPROVED in an open meeting on may 4, 2020

BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING

BY Kelly B Dennis
Kelly B. Dennis, Chairman

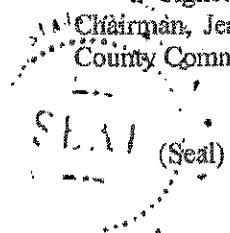
BY Jeanne A. Whalen
Jeanne A. Whalen, Vice Chairwoman

BY Fred Devish
Fred Devish, Member



State of Wyoming }
 }
County of Crook }

Signed or attested before me on may 4, 2020 by Kelly B. Dennis, Chairman, Jeanne A. Whalen, Vice-Chairwoman and, Fred Devish Member, Board of Crook County Commissioners.



Linda Fritz
LINDA FRITZ, CROOK COUNTY CLERK

MY TERM EXPIRES THE FIRST
MONDAY IN JANUARY 2023

My commission expires: _____