Special Joint Information Meeting

TOWN COUNCIL & COUNTY COMMISSIONER MEETING

June 27, 2022
1:30 P.M.
Council Chambers
Chair: Hailey Morton Levinson

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

I. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: https://us02web.zoom.us/j/87082868659?pwd=vRoZs1b0cC1JJ2TRTzVaxCh4fjZccS.1
If the link does not work, join at zoom.com with Webinar ID **870 8286 8659** Password: **83001**
or join by phone **+1 669 900 9128** with Webinar ID **870 8286 8659** and Password: **83001**

II. CALL TO ORDER AND ROLL CALL

III. DISCUSSION/ACTION ITEMS

A. SPET Discussion (Roxanne Robinson)

IV. ADJOURN - COUNTY COMMISSION

V. EXECUTIVE SESSION

Recess or Adjourn meeting to executive session to consider matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party in accordance with Wyoming Statute 16-4-405(a)(iii).

VI. ADJOURN - TOWN COUNCIL

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.

TETON COUNTY WYOMING

BOARD OF COUNTY COMMISSIONERS

TOWN COUNCIL

JOINT INFORMATION MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Town and County Administration **PRESENTER**: Roxanne Robinson

MEETING DATE: June 27, 2022

SUBJECT: SPET Dialogue and Review of Draft Ballot Language

STATEMENT/PURPOSE

The purpose of the June 27 SPET item is for the Town Council and County Commission to, if possible, make final decisions on the items to be included on the ballot and the corresponding funding amounts, and to review draft ballot language.

BACKGROUND/ALTERNATIVES

Below is a summary table of the straw polls conducted from the ranking/ideal ballot exercise.

SPET Compilation		
Project	SPET Request	Straw Poll for Ballot
Projects Generally Agreed Upon for Ballot from June 13 Dialogue		
Teton Youth and Family Servoces: Building Brighter Futures	$2,000,000	$ 2,000,000
Water Qaulity Master Plan Implementation	$10,000,000	$ 10,000,000
CWC: Jackson Outreach College	$10,000,000	$ 10,000,000
TCSD Bronc Achievement Center	$16,505,139	
Trasportation Alternatives	$20,000,000	$ 15,000,000
ECW: Community Energy Leverage Fund	$10,000,000	$ 5,000,000
Fire Stations Hoback and Wilson	$15,000,000	$ 11,000,000
Walkable Community	$3,000,000	$ 3,000,000
Teton Conservation Fund - County Wide	$10,000,000	Undecided
TCSD Housing	$16,000,000	$ 15,000,000
St. John's Health: Rentals and Overnight Lodging	$24,000,000	$ 24,000,000
Projects Needing Further Dialogue for Ballot Placement or Amount		
Town Employee Housing Projects	$20,000,000	
Good Samaritain Mission: Tranistional Housing for Families	$10,000,000	
County Employee Housing	$20,000,000	
Senior Center: Assisted Living & Adult Day Care	$20,000,000	
Coummunity Housing Fund	$20,000,000	
Totals	**$226,505,139**	**$ 95,000,000**

The full results of the ranking/ideal ballot exercise are attached to this staff report.

DRAFT SPET BALLOT

Staff has provided draft language in the attached draft ballot, for Council and Commission discussion and refinement.

Notably, five proposals – the Good Samaritan Mission: Transitional Housing for Families, Town Employee Housing Projects, County Employee Housing, Community Housing Fund, and Senior Center: Assisted Living & Adult Daycare – have garnered wide-ranging discussion. The below options remain for how to present these items should the Council and Commission elect to place all or some of them on the ballot:

- Individual Projects: The ballot may contain five individual questions, one for each proposal.

- Combination Option 1: If the Council and Commission create a "housing" question, the Good Samaritan Mission Transitional Housing for Families, Town Employee Housing Projects, County Employee Housing, and Community Housing Fund, proposals may legally be combined in that question. An example of this is as follows:

  Workforce Housing Projects
  $X,000,000 for housing purposes, as follows:
  1. *$X,000,000.00 for a transitional housing facility for the indigent to be managed by the Housing Department. The Jackson Town Council and the Teton County Board of County Commissioners must authorize and direct the expenditure of these funds.*
  2. *$X,000,000.00 for Town of Jackson employee housing to be managed by the Town.*
  3. *$X,000,000.00 for Teton County employee housing to be managed by the County.*
  4. *$X,000,000.00 for projects identified in the Capital Projects Portfolio in the Housing Supply Plan and/or the Housing Needs Assessment to be managed by the Housing Department. The Jackson Town Council and the Teton County Board of County Commissioners must authorize and direct the expenditure of these funds.*

  This project is sponsored by _______________.

  Notably, the Senior Center: Assisted Living & Adult Daycare proposal cannot be combined within a "housing" question. If such a question were created, the Senior Center would be placed on the ballot singly as long as **i)** the Town or County sponsor it **and ii)** an entity with proper legal authority to hold and spend the funds, undertake the project, and the capacity, accountability, and expertise is identified.

- Combination Option 2: Any of the above four projects may be combined or disambiguated from this list (i.e., there could be one question with two projects, and then another question with two projects; or there could be one question with three projects, leaving the remaining project on its own, etc.).

- Combination Option 3: If the Council and Commission seek to create one question that is not housing related, it is possible to combine all five of the above projects in it. An example of this is as follows:

  _____________ *Projects*
  $X,000,000 for the following purposes:
  1. *$X,000,000.00 for a transitional housing facility for the indigent to be managed by the Housing Department. The Jackson Town Council and the Teton County Board of County Commissioners must authorize and direct the expenditure of these funds.*
  2. *$X,000,000.00 for Town of Jackson employee housing to be managed by the Town.*
  3. *$X,000,000.00 for Teton County employee housing to be managed by the County.*
  4. *$X,000,000.00 for projects identified in the Capital Projects Portfolio in the Housing Supply Plan and/or the Housing Needs Assessment to be managed by the Housing Department. The Jackson Town Council and the Teton County Board of County Commissioners must authorize and direct the expenditure of these funds.*

5.$X,000,000.00 for an assisted living and/or adult daycare to be ____________ by_______. This project is sponsored by _______________.

OUTSTANDING KEY QUESTIONS:

A possible order of items for dialogue/action are listed below:

1. **Determine Undecided Amounts for Projects Generally Agreed Upon for Ballot Placement.** There are two projects in this category including the Bronc Achievement Center and the Teton Conservation Fund – County-Wide.

   Key Question and Decision: What is the total amount the Council and Commission choose to place on the ballot for these SPET initiatives?

2. **Determine Additional Projects for Ballot Placement from the Remaining Items.** The Town Council and County Commission were not able to complete their dialogue on the remaining 5 items identified in the table above related to housing. The Council and Commission could choose any of the options discussed above, or they could leave these or other items off the proposed ballot.

   Key Question and Decision: Do the Council and Commission wish to place some or all of the remaining 5 items on the ballot? And if so, do they want to combine any of the four items?

3. **Review the DRAFT Ballot Language for Generally Agreed Upon Initiatives.** Town and County staff prepared DRAFT ballot language for the generally agreed upon initiatives including those where the amounts were undecided. Language is also provided to combine initiatives pursuant to discussion held at previous meetings. Staff has reviewed the ballot language and has also provided suggestions as to the title of initiatives on the ballot in a consistent manner.

   Key Question and Decision: Do the Council and Commission wish to amend the staff proposed language and title of items for inclusion in the DRAFT SPET ballot resolution?

4. **Number of Pennies of SPET.** Teton County currently imposes 1 penny of SPET. The Town Council and County Commission could choose to put forward the same amount or could increase that to 2 pennies of SPET. That might require more than one ballot (one for each penny) and there is a limit of the total tax that can be imposed (SPET and General) of 3 pennies. An increase in SPET above 1 penny would foreclose or limit any increase for the general fund above its current rate of 1 penny. In an email from the County Treasurer to County Commissioners, there was an estimate for 4 years of collection of SPET that would total approximately $120M utilizing 1 penny of SPET.

   Key Question and Decision: Do the Council and Commission wish to approve a resolution that proposes an additional 1 penny of SPET beyond the already agreed upon 1 penny of SPET?

5. **Collection Period/Target Total Collection Amount.** In an email from the County Treasurer to County Commissioners, there was an estimate for 4 years of collection of SPET that would total approximately$120M utilizing 1 penny of SPET.

   Key Questions and Decision: How many years of collection of SPET would the Council and Commission like to propose on the upcoming ballot? What is the target total collection amount for SPET within that period?

6. **Affidavit to Ensure Compliance with Town and County Land Development Regulations and Building Permit Requirements.** The application indicated that non-Town or non-County applicants must

provide an affidavit to participate in the public Planning & Review process for development and construction of the project. However, the Town and County did not provide the final form for that affidavit. The Town Attorney and County Attorney's Office have prepared an affidavit in the appropriate form for non-Town or County applicants to complete.

Key Question and Requested Direction: Do the Council and Commission support a requirement for non-Town and non-County entities to supply, prior to placement on the ballot, an executed affidavit wherein they agree to comply with the public Planning, Building, and LDR processes for development and construction of the projects?

The process moving forward is as follows:

2022 SPET Timeline	
Monday, June 27, 2022 Special JIM 1-5PM	Dialogue, General Agreement on Additional Initiatives for Ballot Placement, Review of Draft Ballot Language
Monday July 11, 2022 (last Regular JIM before the deadline of July 20, 2022)	Public Comment and Ballot Resolution Adoption
Additional Meeting Time???? Between July 11 and July 20, 2022	If Needed for Ballot Resolution Adoption
Education and Information Period	July 11, 2022 - November 7, 2022
Tuesday, November 8, 2022	Election

COMPREHENSIVE PLAN ALIGNMENT

Utilizing SPET to gain community support for funding community priorities and initiatives is in alignment with the Comprehensive Plan specifically including the following principles and policies:

- **Policy 1.4.d:** Establish a funding source for open space
- **Strategy 1.2.S.3:** Develop a water quality enhancement plan that includes consideration of additional County funding for water quality and commits to joint Town and County coordination.
- **Strategy 1.4.S.4:** Explore the establishment of a dedicated funding source for the acquisition of permanent open space for wildlife habitat protection, scenic vista protection, and agriculture preservation.
- **Policy 5.4.e:** Establish a reliable funding source for workforce housing provision
- **Strategy 5.4.S.10:** Explore the dedication of more staff and funding to the Housing Supply Program
- **Policy 7.1.e:** Establish a permanent funding source for an alternative transportation system
- **Policy 10.3.c:** Elected Officials will set and fund the Plan
- Other

STAKEHOLDER ANALYSIS

Stakeholders include those paying sales tax in Teton County, residents and guests of Teton County that will benefit from new projects and facilities, and Town and County governmental organizations that will receive funding from SPET thereby reserving other Town and County funds for other priorities.

FISCAL IMPACT

There is no direct fiscal impact to continuing dialogue about SPET ballot initiatives or providing direction to staff on key decision points. Once final ballot initiatives are selected, staff will have a better idea as to the fiscal impact of those items. Some items may be a positive impact on the Town and County annual budgets by providing SPET funding for projects that would not need to be funded from other Town or County revenue. Some items may result in additional staffing needs, operational costs, or cost overruns that may occur during construction. Some projects may not have any fiscal impact on the Town or County budgets as they are for outside entities.

STAFF IMPACT

The staff impact of preparation of this staff report was approximately 20 hours combined and the estimated time to be spent at the June 13 meeting is approximately 18 hours combined. As noted in a previous staff report, the comprehensive staff impact of moving forward with placing SPET initiatives on the ballot in November is approximately 437 hours.

LEGAL REVIEW

L. Colasuonno
A. Moore

ATTACHMENTS

Individual Elected Official Ranking/Ideal Ballot Worksheet

RECOMMENDATION

Staff recommends the Town Council and County Commission continue their dialogue on the SPET, review the DRAFT ballot language, consider the outstanding key questions, consider the requirements of an affidavit, and consider the requirement of a memorandum of understanding.

SUGGESTED MOTIONS

Should the Council and Commission make motions regarding the outstanding key questions:

- *I move to include all items for further dialogue at the July 11 JIM.*
- *I move to agree to propose ___ additional pennies of SPET beyond the already agreed upon 1 penny of SPET.*
- *I move to direct staff to combine the following proposals into one ballot initiative and present that draft language at the July 11 JIM:*
    1. *____________*
    2. *Etc.*
- *I move to direct the Town Clerk to collect completed affidavits on forms prepared by the Town Attorney and Teton County Attorney's Office prior to the July 11 special JIM.*

Should the Council and Commission make a motion regarding requiring an affidavit:

- *I move to direct the Town Attorney and Teton County Attorney's Offices to draft an affidavit pursuant to which St. John's, TCSD, and CWC agree to 1) comply with the Town or County's Land Development Regulations and Building Codes, and participate in the public process required by the Town or County, and 2) waive any exemptions, statutory or otherwise, that would enable them to forego compliance with those items listed in Number 1, and direct the Town Clerk to present executed affidavits from said parties at the July 11 JIM before the SPET ballot vote.*

Should the Council and Commission make a motion regarding requiring memorandums of understanding between the Town, County, St. John's and/or TCSD:

- *I move to direct the Town Attorney and County Attorney's Offices to:*
    1. *Draft a Memorandum of Understanding with St. John's requiring that a) it comply with the Town or County's Land Development Regulations and Building Codes, and participate in the public process required by the Town or County; b) it waive any exemptions, statutory or otherwise, that would enable them to forego compliance with those items listed in condition a; and c) that any housing built with money received from a successful SPET*

will be subject to deed restrictions limiting the use of the housing to employees of St. John's Health.

2. *Draft a Memorandum of Understanding with TCSD requiring that a) it comply with the Town or County's Land Development Regulations and Building Codes, and participate in the public process required by the Town or County; b) it waive any exemptions, statutory or otherwise, that would enable them to forego compliance with those items listed in condition a; c) housing built with money received from a successful SPET will be subject to deed restrictions limiting the use of the housing to employees of TCSD; and d) that the amount equivalent to the SPET money provided be reinvested and spent on the maintenance and operation of the housing.*
3. *Present executed versions of said agreements at the July 11 JIM.*

<u>Should the Council and Commission make a motion directing the Town and County Attorney Offices to provide draft ballot language</u>:

- *I move to direct the Town and County Attorney's offices to prepare a DRAFT Ballot Resolution for consideration at the July _____ JIM.*

SPET Compilation

Project	SPET Request	Hailey Morton Levinson	Arne Jorgensen	Jonathan Schechter	Jessica Sell Chambers	Jim Rooks	Luther Propst	Mark Newcomb	Greg Epstein	Mark Barron	Natalia Macker	Straw Poll for Ballot
Projects Generally Agreed Upon for Ballot from June 13 Dialogue												
Teton Youth and Family Services: Bu	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000		$ 2,000,000
Water Quality Master Plan Implemer	$ 10,000,000	$ 10,000,000	$ 8,000,000	$ 10,000,000	$ 5,000,000	$ 10,000,000	$ 10,000,000	$ 10,000,000	$ 10,000,000	$ 5,000,000		$ 10,000,000
CWC: Jackson Outreach College	$ 10,000,000	$ 10,000,000	$ 10,000,000	$ 5,000,000	$ 10,000,000	$ 10,000,000	$ 8,000,000	$ 10,000,000	$ 5,000,000	$ 10,000,000		$ 10,000,000
TCSD: Bronc Achievement Center	$ 16,505,139	$ 16,505,139	$ 12,000,000	$ 16,505,139	$ 16,505,139	$ 16,505,139	$ 10,000,000	$ 16,505,139	$ 11,000,000	$ -		Undecided
Transportation Alternatives	$ 20,000,000	$ 15,000,000	$ 15,000,000	$ 10,000,000	$ 20,000,000		$ 12,000,000	$ 15,000,000	$ 30,000,000	$ 15,000,000		$ 15,000,000
ECW: Community Energy Leverage F	$ 10,000,000	$ 5,000,000	$ 5,000,000	$ 7,500,000	$ 10,000,000	$ 2,500,000	$ 8,000,000	$ 5,000,000	$ 2,000,000	$ 5,000,000		$ 5,000,000
Fire Stations Hoback and Wilson		$ 11,000,000	$ 11,000,000	$ 11,000,000	$ 11,000,000	$ 11,000,000	$ 11,000,000	$ 11,000,000	$ 11,000,000	$ 11,000,000		$ 11,000,000
Walkable Community	$ 3,000,000	$ 3,000,000	$ 3,000,000	$ 3,000,000	$ 3,000,000	$ 3,000,000	$ -	$ -	$ 3,000,000	$ -		$ 3,000,000
Teton Conservation Fund-County Wi	$ 10,000,000	$ 5,000,000	$ 8,000,000	$ 10,000,000	$ -	$ -	$ 15,000,000	$ 10,000,000	$ 5,000,000	$ -		Undecided
TCSD Housing		$ 15,000,000	$ 12,000,000	$ 15,000,000	$ -	$ 15,000,000	$ 15,000,000	$ 15,000,000	$ 11,000,000	$ 15,000,000		$ 15,000,000
St. John's Health: Rentals & Overnigl	$ 24,000,000	$ 24,000,000	$ 20,000,000	$ 24,000,000	$ -	$ 24,000,000	$ 20,000,000	$ 24,000,000	$ 20,000,000	$ 24,000,000		$ 24,000,000
Projects Needing Further Dialogue for Ballot Placement or Amount												
Town Employee Housing Projects	$ 20,000,000	$ 5,000,000	$ 10,000,000	$ 10,000,000	$ -	$ -	$ 5,000,000	$ 10,000,000	$ -	$ -		
Good Samaritan Mission: Transition	$ 10,000,000	$ -	$ 10,000,000	$ 1,000,000	$ -	$ -	$ 8,000,000	$ 10,000,000	$ -	$ -		
County Employee Housing	$ 20,000,000	$ 5,000,000	$ 10,000,000	$ 10,000,000	$ -	$ -	$ 5,000,000	$ 10,000,000	$ -	$ -		
Senior Center: Assisted Living & Adu	$ 20,000,000	$ -	$ 10,000,000	$ 1,000,000	$ -	$ -	$ -	$ 5,000,000	$ -	$ -		
Community Housing Fund	$ 20,000,000	$ 20,000,000	$ 15,000,000	$ 20,000,000	$ 85,000,000	$ 30,000,000	$ 20,000,000	$ 20,000,000	$ 30,000,000	$ 25,000,000		
Totals	**$ 175,505,139**	**$ 146,505,139**	**$ 161,000,000**	**$ 156,005,139**	**$ 162,505,139**	**$ 124,005,139**	**$ 149,000,000**	**$ 173,505,139**	**$ 140,000,000**	**$ 112,000,000**	**$ -**	**$ 95,000,000**

JOINT RESOLUTION APPROVING PROPOSITIONS FOR CONTINUATION OF A 1% SPECIFIC PURPOSE EXCISE TAX IN TETON COUNTY, STATE OF WYOMING, SAID PROPOSITION TO BE PLACED ON THE GENERAL ELECTION BALLOT ON NOVEMBER 8, 2022

WHEREAS, Wyo. Stat. Ann. §§39-15-204(a)(ii) and 39-15-204(a)(iii) authorize a county to impose an excise tax not to exceed two percent (2%) upon retail sales of tangible personal property, admissions and services made within the county, the revenue from which excise tax shall be used in a specified amount for specific purposes authorized by the qualified electors; said specific purposes not to include ordinary operations of local government except those operations related to a specific project; and

WHEREAS, the Board of County Commissioners of Teton County and the Mayor and Town Council of the Town of Jackson, Wyoming (hereinafter sometimes referred to as the "Governing Bodies") have agreed upon a procedure to be utilized in Teton County for the submission of specific purpose excise tax project questions to the voters of the County; and

WHEREAS, Teton County is presently imposing one percent (1%) sales and use tax for specific purpose tax authorized by Wyo. Stat. Ann. §§ 39-15-203(a)(ii) and (iii) as well as Wyo. Stat. Ann. §§ 39-15-204(a)(ii) and (iii) which tax is estimated to expire in XXXX 2022 (the “Prior 1% Tax”); and

WHEREAS, the Town of Jackson is a first-class city but commonly refers to itself as the Town of Jackson. The use of the word "town" in this document does not denote an official statutory designation as a "town." The use of the word "town" means "city" for purposes of legal statutory designation; and

WHEREAS, the Governing Bodies have further determined that it is necessary to submit to the qualified electors of the County the proposition for the continuation of the one percent (1%) tax (hereinafter sometimes referred to as the "Tax Proposition"); and

WHEREAS, the Governing Bodies hereby notify the Teton County Clerk prior to July 20, 2022, of their intention to place the Tax Proposition for specific purposes on the November 8, 2022, general election ballot; and

WHEREAS, the Governing Bodies have further determined that the Tax Proposition should be made available for the following projects in the specific principal amounts and specific purposes set forth below and the language suggested to the County Clerk is as follows:

Shall Teton County, State of Wyoming, be authorized to adopt and cause to be continued a one percent (1%) specific purpose excise tax (the "Tax") within Teton County for the purpose of raising and collecting the amounts set forth below, the proceeds from which, and the interest earned thereon, to be used and applied for specific projects, and to the extent necessary and allowed by law, the pledge to or payment of debt service and/or lease payments thereon:

Teton Youth & Family Services Facility Improvements
$2,000,000.000 *for designing, constructing, upgrading, remodeling, rebuilding, and improving Teton Youth & Family Services’ existing facilities at Hirschfield Center, Van Vleck Group Home, and Red Top Meadows.*

This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ____________

Multimodal Transportation Projects
$15,000,000 *for projects to improve multimodal transportation in Teton County and the Town of Jackson, such as pathways for walking and biking, sidewalks for safe routes to school, transit center and park-n-ride facilities, traffic signals, and public transit infrastructure. Any unexpended funds, including any unused contingency funds, shall be placed into a designated account, the principal and interest of which shall be used for operations and maintenance of these projects.*
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

St. John's Health Housing
$24,000,000 for planning, design, engineering, and construction of workforce rental housing and overnight lodging for on-call hospital staff and patients/families.

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Central Wyoming College Campus
$10,000,000 for planning, designing, engineering, and constructing an approximately 21,000 square foot permanent campus that will include higher education opportunities in the fields of healthcare, early childhood education, hospitality, and language, for Central Wyoming College in Teton County.

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Energy Conservation Works Projects

$5,000,000 for funding community solar and/or other local renewable energy generation; alternative fuel transportation projects; energy audits; planning, design, and construction of energy conservation and emission reduction projects.

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Teton County Land Conservation

$X,000,000 for the Teton County Scenic Preserve Trust to acquire interests in private or state-owned land to conserve wildlife habitat, open space, historic agricultural uses, scenic values, and public access for recreation.
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

Jackson Hole Fire/EMS Fire Station

$11,000,000 for planning, designing, and constructing a new fire station in Hoback and/or Wilson and for demolishing the existing stations that will be replaced.
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ____________

Teton County School District Bronc Achievement Center

$X,000,000 *for designing, constructing, and equipping a new school facility that will include indoor recreational space for community youth sports programs, academic classrooms, and laboratories.*
This project is sponsored by the Town of Jackson.

FOR the Proposition _____________

AGAINST the Proposition ____________

Teton County School District Employee Housing

$15,000,000 *for designing and constructing a 24-unit multi-family housing project for Teton County School District employees.*
This project is sponsored by the Town of Jackson.

FOR the Proposition _____________

AGAINST the Proposition ____________

Town of Jackson Sidewalks and Pedestrian Accessibility

$3,000,000 *to improve walkability and accessibility in the Town of Jackson, including planning, designing, constructing, replacing, and installing sidewalks, accessibility features consistent with the Americans with Disabilities Act, pedestrian and bike safety features, mobility, and wayfinding signs.*
This project is sponsored by the Town of Jackson.

FOR the Proposition _____________

AGAINST the Proposition ____________

Teton County Water Quality Projects

$10,000,000 *to fund water quality projects that will protect and improve surface and ground water resources in Teton County, such as the Wilson sewer project, the Town of Jackson stormwater pollution prevention project, and projects to be identified in the Teton County Water Quality Master Plan.*
This project is sponsored by Teton County.

FOR the Proposition _____________

AGAINST the Proposition ____________

For the five projects being considered for combination, please see the staff report (Transitional Housing; Housing Department; Town Employee Housing; County Employee Housing; Assisted Living/Daycare).

FOR the Proposition _____________

AGAINST the Proposition ____________

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY, WYOMING AND THE TOWN COUNCIL OF THE TOWN OF JACKSON, STATE OF WYOMING, THAT:

1. Having determined that the Tax Proposition should be made available for the projects listed above in the specified principal amounts and for the specified purposes therein set forth, the parties hereto endorse, adopt and approve the procedures set forth in Wyo. Stat. Ann. §§ 39-15-203(a)(ii) and (iii) and §§ 39-15-204(a)(ii) and (iii).

2. No proposition shall be placed on a ballot at any election for approval by the voters of the County pursuant to Wyo. Stat. Ann. §§ 39-15-203(a)(iii) and §§ 39-15-204(a)(ii), except under the following conditions:

(a) A majority of the members of the Board of County Commissioners and a majority of the members of the Town Council must approve each ballot question to be submitted for approval prior to it being placed upon the ballot. There shall be a random drawing to determine the order in which each ballot question appears on the ballot. The Board of County Commissioners and the Town Council approve the propositions listed above to be placed on the ballot.

(b) No tax shall be imposed pursuant to Wyo. Stat. Ann. §§ 39-15-203(a)(ii) and (iii), §§ 39-15-204(a)(ii) and (iii) until the proposition to impose the tax for specific purposes in specific amounts is approved by the vote of the majority of the qualified electors voting on the proposition. All propositions to be approved by the voters at any election may be combined and contained within one or more ballot questions to be approved or disapproved by a "for" or "against" vote or each proposition may be submitted to the voters as an independent ballot question to be approved or disapproved by a "for" or "against" vote. The Board of County Commissioners and Town Council agree that each proposition shall be submitted to the voters as independent ballot questions.

(c) The revenue from the Tax shall be used in a specified amount for specific purposes authorized by the qualified electors. Specific purposes shall not include ordinary operations of local government except those operations related to a specific project.

(d) The amount of revenue to be collected and the purpose or purposes for which it is proposed shall be specified in the proposition.

(e) The election shall be held in accordance with Wyo. Stat. Ann. §§ 22-21-101 through 22-21-112.

(f) In the event a ballot question authorizing the continuation of a tax is approved by the voters, all revenue collected by the Department of Revenue from the tax shall be transferred to the State Treasurer who shall deduct one percent (1%) to defray the costs of collection of the tax and administrative expenses incident thereto, and deposit the remainder into the trust and agency fund for monthly distribution to the Teton County Treasurer.

(g) Any interest earned from the investment of the revenues may only be used for costs related to the purposes approved on the ballot, including operation and maintenance costs, and shall be distributed to each sponsoring entity in the same proportion as its cost is to the total cost of all purposes identified on the ballot.

(h) Each entity receiving revenues from the specific purpose excise tax shall:

i) Maintain its accounting in records in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants and the Governmental Accounting Standards Board.

ii) Establish separate interest-bearing ledger accounts into which the revenues will be deposited;

iii) Deposit and record all tax receipts within the appropriate ledger account;

iv) Retain and record interest earned on each account; and

v) At the end of each fiscal year, prepare and forward to the governing bodies a report on each account showing a reconciliation of all tax receipts and the amount of interest earned thereon, and a reconciliation showing all expenditures from the account or fund, grouped by major categories or classifications.

(j) All specific projects funded by the Tax Proposition that involve construction shall be subject to a planning review pursuant to the Land Development Regulations of Teton County or the Town of Jackson, depending on where the project is located.

3. In the event the taxes collected for any project exceed the amount necessary for the approved purpose or the project does not get executed, the excess funds shall be retained by the Teton County Treasurer for one (1) year for a refund of overpayments of the Tax Revenue. After one (1) year, any interest earned on the excess funds and the excess funds less any refunds ordered shall be applied to future specific purpose excise tax projects that are approved by the voters in subsequent elections in the respective ratio which the principal amount of each future project approved bears to the total principal amount of all future projects approved. In the event that there are not future specific purpose excise tax projects that are approved by the voters in subsequent elections, to which any interest earned on the excess funds and the excess funds less any refunds ordered can be applied, then any interest earned on the excess funds and the excess funds less any refunds ordered shall be distributed to each sponsoring entity based upon the respective ratio which the principal amount of each project approved bears to the total principal amount of all projects approved. Such excess funds shall be expended for the needs of the projects for which the tax was approved by the voters, including but not limited to the payment of additional unanticipated construction costs, related financing costs or for operating, equipping, and maintaining the specified projects.

4. Any project not directly sponsored by the Town of Jackson or the Board of County Commissioners of Teton County may be funded in part or in whole by revenues generated through Wyo. Stat. Ann.§§ 39-15-203(a)(ii) and (iii) and §§ 39-15-204(a)(ii) and (iii) provided that such funding shall be based upon the authority granted in the statutes of the State of Wyoming for the project and upon a Cooperative Services Agreement governing the project entered into between the Town of Jackson and/or the Board of County Commissioners of Teton County and the agency sponsoring the project.

5. At the November 8, 2022, between the hours of 7:00 am and 7:00 pm, there will be submitted to the qualified electors of the County those matters more particularly set forth on the official ballot and the Proclamation and Notice of Election. .

6. The election shall be held at those vote centers as more particularly set forth in the Proclamation and Notice of Election.

7. Any qualified elector in the County shall be entitled to vote in person at any vote center regardless of the precinct in which they reside, or by absentee ballot. A qualified elector includes every citizen of the United States who is a bona fide resident of the State of Wyoming and Teton County, who has registered to vote and who will be at least eighteen (18) years of age on the day of the election.

8. There shall be provided at each vote center, one (1) ballot box and one (1) set of ballots for each district and precinct in the County. The official ballot shall set forth each proposition to be approved by the vote of the majority of the qualified electors.

9. The results disclosed by the canvass of voters shall be certified by the Canvassing Board of Teton County. Only if the majority of votes cast on one or more of the Tax Propositions at the election is in favor of imposition of the Tax shall the Board of County Commissioners, in the manner provided by law, then proceed to declare the results of the election, and complete all steps necessary for the imposition of the Tax.

10. Should any part of or provision of this Resolution 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 Resolution is severable.

PASSED, APPROVED AND ADOPTED this _______ day of _________, 2022.

TOWN OF JACKSON, WYOMING

____
Mayor Hailey Morton Levinson

Attest:

____
Riley Taylor, Clerk

PASSED, APPROVED AND ADOPTED THIS _____________ day of _______, 2022.

BOARD OF COUNTY COMMISSIONERS
OF TETON COUNTY, WYOMING

____

Natalia D. Macker, Chair Board of Board of County Commissioners

Attest:

____

Maureen E. Murphy, Teton County Clerk