

**RESOLUTION NO. 07-19**

**A RESOLUTION APPROVING THE PROPOSITION FOR IMPOSITION OF A ONE PERCENT (1%) SPECIFIC PURPOSE SALES AND USE EXCISE TAX IN CONVERSE COUNTY, WYOMING, SAID PROPOSITION TO BE PLACED ON THE BALLOT AT AN ELECTION TO BE HELD IN CONVERSE COUNTY ON TUESDAY, NOVEMBER 5, 2019.**

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

WHEREAS, the Board of County Commissioners (the "Commissioners") of Converse County, Wyoming ("Converse County" or the "County"), in response to the needs of the County and its residents, have determined to submit to the qualified electors of the County a Proposition requesting authorization for the imposition of a one percent (1%) specific purpose sales and use excise tax in the total amount of **\$87,500,000** (the "Tax") as a source of funding in the following estimated amounts for the following specific purposes (the "Projects"):

- **\$37,215,817** for a new recreation center in Douglas, Wyoming;
- **\$4,000,000** for street and utility construction related to the new recreation center in Douglas;
- **\$24,039,297** for new construction at the Glenrock Recreation Center (GRC) and remodeling of GRC and the South Recreation Complex, located south of Glenrock off Mormon Canyon Road (SRC);
- **\$17,979,340** for interest associated with debt service, financing costs and/or lease payments for all facilities;
- **\$4,265,546** for an operation and maintenance account for all the facilities; and

WHEREAS, the Commissioners have determined that it is necessary to approve the proposition for imposition of the Tax by submitting one (1) ballot question to the qualified registered electors of the County; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CONVERSE COUNTY, WYOMING:**

**Section 1.** At an election to be held in Converse County, Wyoming, on Tuesday, November 5, 2019, between the hours of 7:00 A.M. and 7:00 P.M., there will be submitted to the qualified registered electors of the County the proposition of imposing a one percent (1%) specific purpose sales and use excise tax for the exclusive purpose of funding the planning, engineering, constructing, remodeling, furnishing, equipping and supplying, and, to the extent necessary and allowed by law, the payment of operation and maintenance, debt service, and/or lease payments for specific Projects, as more particularly set forth in the Proclamation and Notice of Election.

**Section 2.** The election on the proposition shall be held at the Election Districts, Precincts and Polling Places as more particularly set forth in the Proclamation and Notice of Election.

**Section 3.** Any qualified registered elector of the County shall be entitled to vote on the proposition in person or by absentee ballot, in the precinct in which he or she is registered. A qualified registered elector includes every citizen of the United States who is a bona fide resident of Wyoming and Converse County, has registered to vote not less than 14 days before the election and who will be at least eighteen (18) years of age on the day of the election. Any qualified elector who did not register to vote prior to the 14 day registration cutoff date will be allowed to register and vote at the polls on Election Day, November 5, 2019, or, at the time of voting by absentee ballot, at the Converse County Clerk's Office, Converse County Courthouse, 107 North 5th Street, Suite 114, Douglas, Wyoming.

Absentee voting on the proposition is permitted as hereinafter provided for in this resolution and in the Proclamation and Notice of Election.

**Section 4.** The votes for and against the proposition, including absentee votes, shall be registered on ES&S System ballots. The ballots shall be in substantially the following form:

**OFFICIAL 1% SPECIFIC PURPOSE  
SALES AND USE EXCISE TAX  
NONPARTISAN ELECTION BALLOT  
CONVERSE COUNTY, WYOMING  
NOVEMBER 5, 2019**

**INSTRUCTIONS TO VOTERS**

**TO VOTE, COMPLETE THE OVAL TO THE LEFT OF THE WORDS "FOR THE SPECIFIC PURPOSE SALES AND USE EXCISE TAX" OR "AGAINST THE SPECIFIC PURPOSE SALES AND USE EXCISE TAX". IF YOU TEAR, SPOIL, DEFACE OR WRONGFULLY MARK THIS BALLOT, RETURN IT TO THE ELECTION OFFICIAL.**

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**"Shall Converse County, Wyoming, be authorized to adopt and cause to be imposed a one percent (1%) specific purpose sales and use excise tax within the County to collect a total of \$87,500,000 and interest thereon, the proceeds of which and the interest earned thereon to be used and applied for funding the planning, engineering, constructing, remodeling, furnishing, equipping and supplying, and, to the extent necessary and allowed by law, the payment of operation and maintenance, debt service, and/or lease payments, in the following estimated amounts for the following specific purposes:**

- **\$37,215,817** for a new recreation center in Douglas, Wyoming, to be located east of Bartling Park on the Old Airport Property, which will include gymnasiums, an indoor walking track, indoor and outdoor playground areas, an aquatic center, meeting and birthday party rooms, sport simulator, bouldering wall, locker rooms, racquetball courts, weight room area, group exercise room, mechanical and storage rooms, staff offices and a parking lot.
- **\$4,000,000** for two (2) new street streets and utility connections - Bartling and Cheyenne - connecting at Jefferson Street, Bartling Street would extend and connect to Cheyenne Street and Cheyenne Street would connect to East Richards Street.
- **\$24,039,297** for new construction at the Glenrock Recreation Center (GRC) and remodeling of GRC and the South Recreation Complex, located south of Glenrock off Mormon Canyon Road (SRC), which will include the following: *New Construction at GRC* - second gym, outdoor water park, locker rooms with saunas, wrestling locker rooms, indoor walking track, "tot room" with outdoor play area and off-street parking; *Remodeling at GRC and SRC* - update fire system, renovate inside of GRC, including HVAC and ADA compliance measures, upgrade GRC grounds with the addition of recreation areas (including picnic tables, horseshoe pits and basketball courts with lights), and upgrade SRC baseball fields.
- **\$17,979,340** for interest associated with debt service, financing costs and/or lease payments for all facilities.
- **\$4,265,546** for an operation and maintenance account for all the facilities?



**FOR THE IMPOSITION OF A SPECIFIC PURPOSE SALES AND USE EXCISE TAX**



**AGAINST THE IMPOSITION OF A SPECIFIC PURPOSE SALES AND USE EXCISE TAX**

**Section 5.** The County Clerk shall cause the Proclamation and Notice of Election to be published at least once each in the Douglas Budget, in Douglas, Wyoming, and in the Glenrock Independent in Glenrock, Wyoming, newspapers of general circulation in the County, not less than thirty (30) days nor more than forty (40) days before the date of election. The Proclamation and Notice of Election shall specify the name of the County, the date, time and place of election, the question to be submitted and the fact that only qualified registered electors of the County will be permitted to vote thereon. The County Clerk shall also cause a Notice of Registration to be published. The Notices shall be in substantially the following forms:

**PROCLAMATION AND NOTICE OF ELECTION  
1% SPECIFIC PURPOSE SALES AND USE EXCISE TAX ELECTION  
CONVERSE COUNTY, WYOMING  
TUESDAY, NOVEMBER 5, 2019**

**PUBLIC NOTICE IS HEREBY GIVEN** that at an election to be held in Converse County, Wyoming, on Tuesday, November 5, 2019, there shall be submitted to the qualified registered electors of the County the following proposition:

**“Shall Converse County, Wyoming, be authorized to adopt and cause to be imposed a one percent (1%) specific purpose sales and use excise tax within the County to collect a total of \$87,500,000 and interest thereon, the proceeds of which and the interest earned thereon to be used and applied for funding the planning, engineering, constructing, remodeling, furnishing, equipping and supplying, and, to the extent necessary and allowed by law, the payment of operation and maintenance, debt service, and/or lease payments, in the following estimated amounts for the following specific purposes:**

- **\$37,215,817** for a new recreation center in Douglas, Wyoming, to be located east of Bartling Park on the Old Airport Property, which will include gymnasiums, an indoor walking track, indoor and outdoor playground areas, an aquatic center, meeting and birthday party rooms, sport simulator, bouldering wall, locker rooms, racquetball courts, weight room area, group exercise room, mechanical and storage rooms, staff offices and a parking lot.
- **\$4,000,000** for two (2) new street streets and utility connections - Bartling and Cheyenne - connecting at Jefferson Street, Bartling Street would extend and connect to Cheyenne Street and Cheyenne Street would connect to East Richards Street.
- **\$24,039,297** for new construction at the Glenrock Recreation Center (GRC) and remodeling of GRC and the South Recreation Complex, located south of Glenrock off Mormon Canyon Road (SRC), which will include the following: ***New Construction at GRC*** - second gym, outdoor water park, locker rooms with saunas, wrestling locker rooms, indoor walking track, “tot room” with outdoor play area and off-street parking; ***Remodeling at GRC and SRC*** - update fire system, renovate inside of GRC, including HVAC and ADA compliance measures, upgrade GRC grounds with the addition of recreation areas (including picnic tables, horseshoe pits and basketball courts with lights), and upgrade SRC baseball fields.
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**FOR THE IMPOSITION OF A SPECIFIC PURPOSE SALES AND USE EXCISE TAX**



**AGAINST THE IMPOSITION OF A SPECIFIC PURPOSE SALES AND USE EXCISE TAX**

The Election Districts, Precincts and Polling Places shall be as follows:

<b>DISTRICT NO.</b>	<b>PRECINCT NO.</b>	<b>NAME OF PRECINCT</b>	<b>POLLING PLACE</b>
1	1	Lost Springs	Eastern Wyoming College
2	2	Orin	Douglas Rec Center
3	1	Guthrie	Eastern Wyoming College
4	4	Rural Douglas	Douglas Rec Center
6	6	Boxelder	Glenrock Rec Center
7	7	LaPrele	Douglas Rec Center
8	8	East Antelope	Eastern Wyoming College
9	1	East Glenrock	Glenrock Rec Center
9	2	West Glenrock	Glenrock Rec Center
10	10	Rural Glenrock	Glenrock Rec Center
11	11	Rolling Hills	Glenrock Rec Center
13	13	Dry Creek	Eastern Wyoming College
20	20	Orpha	Douglas Rec Center
23	1	Northeast Douglas	Douglas Rec Center
23	2	Northwest Douglas	Douglas Rec Center
23	3	Southwest Douglas	Douglas Rec Center
23	4	Courthouse	Douglas Rec Center
23	5	South Douglas	Douglas Rec Center
23	6	Fairview	Douglas Rec Center

In addition to the Voting Locations listed, the County Clerk's Office serves as the absentee polling location.

The polls will open at 7:00 A.M. and will close at 7:00 P.M. on the day of the election. Any registered elector of the County shall be entitled to vote on the proposition in person or by absentee ballot in the precinct in which he or she is registered. A qualified registered elector includes every citizen of the United States who is a bona fide resident of Wyoming and Converse County, has registered to vote not less than 14 days before the election and who will be at least eighteen (18) years of age the day of the election. Any qualified elector who did not register to vote prior to the 14 day registration cutoff date will be allowed to register and vote at the polls on Election Day, November 5, 2019, or, at the time of voting by absentee ballot, at the Converse County Clerk's Office, Converse County Courthouse, 107 North 5th Street, Suite 114, Douglas, Wyoming.

The votes cast, including absentee votes, shall be by ES&S System ballots. The ballots shall contain the same proposition as stated above and electors shall complete the oval to the left of the words “**FOR THE IMPOSITION OF A SPECIFIC PURPOSE SALES AND USE EXCISE TAX**” or “**AGAINST THE IMPOSITION OF THE SPECIFIC PURPOSE SALES AND USE EXCISE TAX,**” expressing his or her choice. Instructions will be provided to assist the elector in casting his or her vote.

Any qualified registered elector may vote by absentee ballot beginning forty (40) days before the election. Only a qualified registered elector may receive an absentee ballot by requesting by telephone or in writing. Calls can be made to 307-358-2244. Written requests may be mailed to Lucile K. Taylor, Converse County Clerk, 107 North 5th Street, Suite 114, Douglas, WY 82633. A written request must contain your name, date of birth and current Wyoming residence address by street, city, county and zip code or last Wyoming residence address and month and year of leaving Wyoming to live temporarily in another state or nation, if applicable, and a statement that the applicant is entitled to vote in the election. Electors may also visit the Election’s Office in the County Clerk’s office at the County Courthouse at 107 North 5th Street, Suite 114, Douglas, Wyoming. Absentee ballots must be returned to the Clerk’s office and must be received by 7:00 p.m. on Election Day. Absentee ballots cannot be returned to any polling place. Absentee ballots cannot be requested after 5:00 p.m. the day before Election Day, or on Election Day.

**IN WITNESS WHEREOF**, the Board of County Commissioners of Converse County, Wyoming, has caused this Notice to be given by the County Clerk of Converse County, as required by law, as of the 3rd day of July, 2019.

/s/ Lucile K. Taylor  
County Clerk, Converse County, Wyoming

Publish in: Douglas Budget  
Publish on: August 21, 2019

Publish in: Glenrock Independent  
Publish on: August 22, 2019

#### **NOTICE OF ELECTION**

**NOTICE IS HEREBY GIVEN** that the proposition for imposition of a one percent (1%) specific purpose sales and use excise tax within Converse County, Wyoming, will be submitted at an election to be held on Tuesday, November 5, 2019.

In order to vote at this election, an elector must be a qualified elector who has registered to vote not less than 14 days before the date of election. Persons who are otherwise qualified to vote, but who are not presently registered, may register at the Office of the Converse County Clerk, or download the voter registration form from the County’s website, fill out the form, sign it in front of a notary, and return it along with a copy of their picture ID to the County Clerk, at 107 North 5th Street, Suite 114, Douglas, Wyoming 82633; at the office of the Town Clerk of Glenrock, Wyoming, 219 S. 3rd Street, Glenrock, Wyoming; and at the office of the Town Clerk of Rolling Hills, Wyoming, 38 S. Badger Road, Glenrock, Wyoming, not later than the close of business on Monday, October 24, 2019.

A Proclamation giving more detailed information concerning the election will be published as required by law on August 21, 2019 and August 22, 2019.

**IN WITNESS WHEREOF**, the Converse County Clerk has caused this Notice to be given as of the 16<sup>th</sup> day of August, 2019.

/s/ Lucile K. Taylor  
County Clerk, Converse County, Wyoming

Publish in: Douglas Budget  
Publish on: August 21, 2019

Publish in: Glenrock Independent  
Publish on: August 22, 2019

**Section 6.** The results disclosed by the canvass of votes shall be certified by the election officials to the County Clerk of Converse County, Wyoming. If the majority of votes cast on the proposition at the election is in favor of imposition of a one percent (1%) specific purpose sales and use excise tax within Converse County, Wyoming, such proposition shall be approved and the Board of County Commissioners, in the manner provided by law, shall then proceed to declare the results of the election, and complete all steps necessary for the imposition of the Tax.

**Section 7.** The election on the proposition shall be held, conducted and the results canvassed as provided by the Wyoming Election Code of 1973, as amended, more particularly the Political Subdivision Bond Election Law (Wyo. Stat. §§ 22-21-101 to 22-21-112, inclusive).


**Section 8.** Upon distribution of the approved Tax funds to the County (or such lesser amount if the County agrees to terminate the Tax pursuant to the provisions of Wyo. Stat. §§ 39-15-203(a)(iii)(G) and 39-16-203(a)(ii)(G), excess Tax funds shall be retained by the Converse 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 distributed to the County. All Tax funds and interest thereon (whether they be from savings related to the Projects or excess funds) shall be deposited into the operation and maintenance account for the specified Projects.

**Section 9.** The passage of this resolution shall constitute written notification to the County Clerk, specifying the date of the election and proposition, as required by Wyo. Stat. § 22-21-103, and shall further constitute approval as required by Wyo. Stat. §§ 39-15-203(a)(iii)(A) and 39-16-204(a)(ii).

**Section 10.** Should any part or provision of this 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 resolution is severable.

**ADOPTED AND APPROVED** as of the 3<sup>rd</sup> day of July, 2019.

**BOARD OF COUNTY COMMISSIONERS  
CONVERSE COUNTY, WYOMING**

  
Chairman

ATTESTED:



  
Converse County Clerk