Board of County Commissioners - Meeting Report

Meeting Date: March 18, 2025 **Presenter:** Katie Smits

Submitting Dept: Treasurer **Subject:** 2022 SPET Distribution-3rd year only

Statement / Purpose:
Resolution Approving the Distribution Schedule for the 2022 SPET funds for the third year.

Background / Description (Pros & Cons):
Voters approved $166,435,139 in Specific Purpose Excise Tax projects on November 8, 2022. The County Treasurer shall distribute the funds to the sponsoring entities of the projects. The Teton County Board of County Commissioners must approve by resolution the distribution schedule being proposed by the County Treasurer.
The first-year distribution schedule was approved on June 20, 2023.

Stakeholder Analysis & Involvement:
Each project sponsor submitted a draw-down request for funding to the County Treasurer. Since this is a multi-year SPET and most projects are not shovel-ready, having a yearly funding schedule is the most practical option at this time.

Fiscal Impact:
Specific Purpose Excise Tax is collected and submitted to the Wyoming Department of Revenue by the vendors. WY Department of Revenue disburses to the County Treasurer monthly. The County Treasurer will distribute the tax as outlined in Attachment A of the Distribution Resolution.

Collection of the 2022 SPET tax will continue with the first distribution of the third-year distribution schedule by the County Treasurer occurring approximately in December 2025.

Staff Impact:
County Treasurer

Legal Review:
Deputy County Attorney Keith Gingery

Staff Input / Recommendation:
Approve

Attachments:
Resolution Approving Distribution of Revenues for Teton County, State of Wyoming 2022 Special Purpose Excise Tax for the third year of funding.
Attachment A - 2022 Estimated Distribution Schedule for the third year.

Suggested Motion:
I move to approve the Resolution Approving Distribution of Revenues for Teton County, State of Wyoming 2022 Specific Purpose Excise Tax for the third year of funding.

RESOLUTION APPROVING DISTRIBUTION OF REVENUES FOR TETON COUNTY, STATE OF WYOMING 2022 SPECIFIC PURPOSE EXCISE TAX PROPOSITIONS IMPOSED TAX RATE OF ONE PERCENT (1%) FOR THE THIRD YEAR OF FUNDING

WHEREAS, Wyoming Statutes §39-15-201(a)(iii) authorizes a county to impose an excise tax not to exceed two percent (2%) (hereinafter sometimes referred to as the Specific Purpose Excise Tax) 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 a specific purpose 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, Wyoming with the approval of the Mayor and Town Council of the Town of Jackson, Wyoming, placed upon the ballot certain projects, of which the qualified electors of Teton County approved certain projects during a special election held on November 8, 2022, and

WHEREAS, pursuant to Wyoming Statutes §39-15-211(b)(ii), the revenue collected is to be distributed by the Teton County Treasurer to the sponsoring entities, and

WHEREAS, in order to provide an orderly and efficient distribution of the revenue collected, the County Treasurer, with the approval and acknowledgement of the Teton County Board of County Commissioners has promulgated a distribution schedule to accommodate the different fund flow issues of several sponsoring entity for the second year of funding; and

WHEREAS, a majority of the qualified electors of Teton County on November 8, 2022, voted to impose the Specific Purpose Excise Tax for the following projects as well as the specific amount approved, of:

Teton Youth & Family Services Facility Improvements
$2,000,000 *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.*

Transportation Alternatives and Safe Routes to School
$15,000,000 *for projects to improve transportation alternatives in Teton County and the Town of Jackson, including the planning, design, engineering, and constructing of pathways and sidewalks for safe routes to school, commuting, and recreation as well as the Stilson transit center and park-n-ride facility and the purchase and installation of transit prioritization traffic signals and other 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.*

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

Central Wyoming College Campus
$10,000,000 *for planning, designing, engineering, and constructing an approximately 21,000 square foot permanent campus for providing higher education opportunities in fields such as healthcare, early childhood education, hospitality, and language for Central Wyoming College in Teton County.*

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.*

Teton County Land Conservation Opportunities
$8,000,000 *for the Teton County Scenic Preserve Trust to acquire interests in state trust or private land to conserve wildlife habitat, protect open space, protect historic agricultural uses, protect scenic values, and protect public access.*

Jackson Hole Fire/EMS Fire Station
$15,000,000 *for planning, designing, and constructing a new fire station in Hoback and/or Wilson and for demolishing the existing station(s) that will be replaced.*

Teton County School District Bronc Achievement Center
$16,505,139 *for designing, constructing, and equipping a new school facility that will include indoor recreational space for community youth sports programs, academic classrooms, and laboratories.*

Teton County School District Employee Housing
$16,000,000 *for planning, designing, engineering, and constructing multi-family housing for Teton County School District employees.*

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.*

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.*

Town of Jackson Employee Housing
$10,000,000 *for the purchase of land and planning, designing, engineering, and constructing Town of Jackson employee rental housing.*

Teton County Employee Housing
$10,000,000 *for the purchase of land and planning, designing, engineering, and constructing Teton County employee rental housing.*

Community Housing
$20,000,000 *to preserve and create permanent Affordable and Workforce homes for local workers and their families. This may be accomplished through the purchase of deed restrictions and/or interests in land on which to design, plan, develop, engineer, construct deed restricted housing in conformance with the Jackson & Teton County Housing Supply Plan. The Jackson Town Council and the Teton County Board of County Commissioners must authorize and direct the expenditure of these funds.*

Senior Center of Jackson Hole - Senior Assisted Living Planning
$1,930,000 *to hire professional services to perform and provide a needs assessment, feasibility study, and proposed options for establishing senior assisted living facilities in Teton County, which may include design and planning.*

WHEREAS, Attachment A appended hereto, shows the proposed distribution schedule proposed by the County Treasurer for **the third year of funding**;

NOW THEREFORE, be it resolved by the Board of County Commissioners of Teton County, Wyoming, that:

(A) The Teton County Treasurer shall distribute the Specific Purpose Excise tax revenue received from the State Treasurer to the sponsoring entities named above in accordance with Attachment A, the 2022 Estimated Distribution Schedule, attached to this resolution and made a part hereof. Distribution shall occur on a monthly basis by the last day of each calendar month in which the tax is received, until each project has received its respective total allocated dollar amount as set forth in said schedule.

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

(1) Maintain its accounting records in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants;

(2) Establish separate interest bearing ledger accounts into which the revenues will be deposited;

a. Deposit and record all tax receipts within the appropriate ledger account;

b. Retain and record interest earned on each account;

c. 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.

(3) Each sponsoring entity, upon receipt of said revenues, shall cause to be made an annual audit of the financial transaction of each account or activity. The audit shall be conducted by the independent auditor in accordance with generally accepted auditing standards as promulgated by the American Institute of Certified Public Accountants in their guidelines for audits, or, the audit report shall conform to generally accepted a county principles as proved within Wyoming Statutes §16-4-121(c). Copies of the audit report shall be

filed with the governing bodies and shall be open to inspection by any interested person during regular business hours. The governing bodies shall monitor and examine each audit to determine if any deficiencies exist and, if necessary, require the entities to take appropriate corrective action.

(4) 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.

(B) The County Treasurer shall continue to work with SPET entities who still require funding and bring forth additional SPET Distribution Schedules as entities have more insight of their funding needs.

THE TETON COUNTY TREASURER HEREBY SUBMITS THE DISTRIBUTION SCHEDULE (ATTACHMENT A) FOR APPROVAL.

Katie Smits

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Katie Smits, Teton County Treasurer

PASSED, APPROVED, AND ADOPTED at the regularly scheduled meeting of the Board of County Commissioners of Teton County, held the 18th day of March, 2025.

THE BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY, WYOMING

_____

Mark Newcomb, Chairman
Teton County Board of County Commissioners

Attest:

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Maureen Murphy
Teton County Clerk

Reviewed and approved as to form:

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Keith Gingery
Deputy County Attorney

Attachment A

2022 Estimated Distribution Schedule (third-year funding only)

	ANTICIPATED RECEIPTS	Teton County Emp Housing	%	Transportation Alternatives	%	CWC Campus	%	St. John's Housing	%	TOJ Emp Housing	%	ECW	%	Community Housing	%	TCSD Housing	%	Water Quality	%		TOTAL REQUESTED	Difference
December-25	$1,762,264	$200,000	11.35%	$250,000	14.19%	$250,000	14.19%	$62,264	3.53%	$200,000	11.35%	$200,000	11.35%	$250,000	14.19%	$200,000	11.35%	$150,000	8.51%	100.00%	$1,762,264	$0
January-26	$1,208,371	$200,000	16.55%	$100,000	8.28%	$158,371	13.11%	$0	0.00%	$200,000	16.55%	$100,000	8.28%	$250,000	20.69%	$200,000	16.55%	$0	0.00%	100.00%	$1,208,371	$0
February-25	$1,882,703	$300,000	15.93%	$250,000	13.28%	$100,000	5.31%	$282,703	15.02%	$300,000	15.93%	$200,000	10.62%	$250,000	13.28%	$200,000	10.62%	$0	0.00%	100.00%	$1,882,703	$0
March-26	$1,624,098	$200,000	12.31%	$250,000	15.39%	$200,000	12.31%	$124,098	7.64%	$200,000	12.31%	$200,000	12.31%	$250,000	15.39%	$200,000	12.31%	$0	0.00%	100.00%	$1,624,098	$0
April-26	$1,646,582	$200,000	12.15%	$250,000	15.18%	$100,000	6.07%	$146,582	8.90%	$200,000	12.15%	$200,000	12.15%	$250,000	15.18%	$200,000	12.15%	$100,000	6.07%	100.00%	$1,646,582	$0
May-26	$1,583,835	$250,000	15.78%	$150,000	9.47%	$83,835	5.29%	$200,000	12.63%	$250,000	15.78%	$100,000	6.31%	$250,000	15.78%	$200,000	12.63%	$100,000	6.31%	100.00%	$1,583,835	$0
June-26	$1,142,920	$100,000	8.75%	$243,880	21.34%	$99,040	8.67%	$0	0.00%	$100,000	8.75%	$200,000	17.50%	$250,000	21.87%	$150,000	13.12%	$0	0.00%	100.00%	$1,142,920	$0
July-26	$1,384,560	$200,000	14.45%	$100,000	7.22%	$100,000	7.22%	$134,560	9.72%	$200,000	14.45%	$200,000	14.45%	$250,000	18.06%	$200,000	14.45%	$0	0.00%	100.00%	$1,384,560	$0
August-26	$2,224,065	$200,000	8.99%	$100,000	4.50%	$250,000	11.24%	$645,167	29.01%	$200,000	8.99%	$200,000	8.99%	$250,000	11.24%	$200,000	8.99%	$178,898	8.04%	100.00%	$2,224,065	$0
September-26	$2,916,486	$350,000	12.00%	$150,000	5.14%	$250,000	8.57%	$1,175,000	40.29%	$350,000	12.00%	$100,000	3.43%	$250,000	8.57%	$200,000	6.86%	$91,486	3.14%	100.00%	$2,916,486	$0
October-26	$2,561,543	$200,000	7.81%	$0	0.00%	$350,000	13.66%	$1,161,543	45.35%	$200,000	7.81%	$200,000	7.81%	$250,000	9.76%	$200,000	7.81%	$0	0.00%	100.00%	$2,561,543	$0
November-26	$2,285,311	$200,000	8.75%	$100,000	4.38%	$400,000	17.50%	$935,311	40.93%	$200,000	8.75%		0.00%	$250,000	10.94%	$200,000	8.75%	$0	0.00%	100.00%	$2,285,311	$0
December-26	$1,762,264	$100,000	5.67%	$100,000	5.67%	$300,000	17.02%	$762,264	43.25%	$100,000	5.67%		0.00%	$250,000	14.19%	$150,000	8.51%	$0	0.00%	100.00%	$1,762,264	$0
Dec 2025-Dec 2026	$23,985,002	$2,700,000		$2,043,880		$2,641,246		$5,629,492		$2,700,000		$1,900,000		$3,250,000		$2,500,000		$620,384			$23,985,002	

PLEASE NOTE: All distributions are estimations of the overall anticipated tax receipts. Each project will receive the percentage allocated from actual tax receipts. Distribution shall occur monthly when the tax is received, until each project receives its respective total allocated dollar amount.

Total Estimated to be paid for third-year 2022 SPET = $23,985,002 December 2025-December 2026