

WYOMING

COUNTY GOVERNMENT OVERVIEW

Counties

23

Government Form

Traditional¹

Governing Body Size

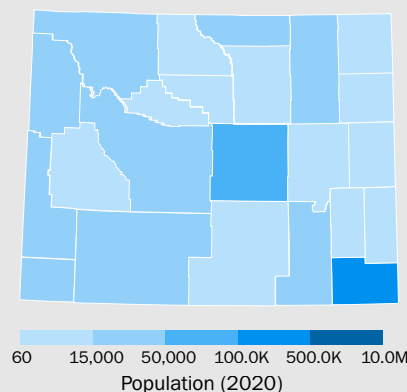
3-5

Population (2020)

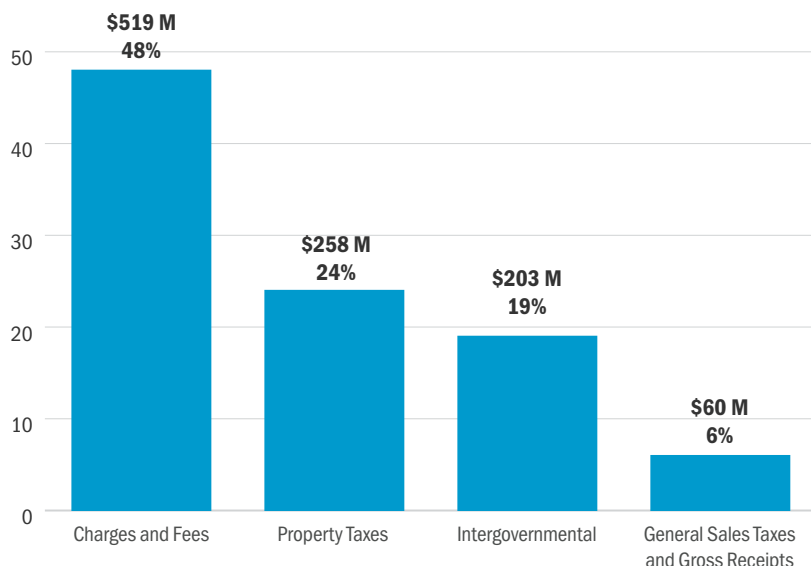
577,000²

County Authority

Most Restrictive (Dillon's Rule): Counties are authorized only with the power expressly granted by state law. No counties in Wyoming may form a charter.



TOP REVENUE SOURCES FOR WYOMING COUNTIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017

¹“Government Form” refers to the distribution of executive decision making authority in a county.

“Traditional” county states mandate that counties exercise executive decision making power solely through the board of elected officials (commissioners, supervisors, etc.). “Reformed” county states mandate that counties employ an elected or appointed county executive, manager or similar position to take on at least some of the county’s executive decision making authority. “Mixed” county states means that some counties in that state are “traditional” and some are “reformed.”

²NACo Analysis of U.S. Census Bureau - 2020 Decennial Census

Summary of County Services

Services counties **MUST** provide:

- Plan and maintain roads and bridges.
- Offer substance abuse and mental health support services.

Services counties **MAY** provide:

- Zone and regulate unincorporated land.
- Create health, senior and youth departments alone or in collaboration with municipalities or adjacent counties.
- Establish and maintain public libraries and parks.

Services counties **CANNOT** provide:

- Establish, supervise or operate public schools. Counties can only provide financial support.

STRUCTURE/AUTHORITY

SUMMARY

All counties in Wyoming exist in traditional governments structures, led by a board of commissioners and no separate chief executive officer. Each county board has three members initially; however, the county may increase that number to five or move it back to three by vote. Currently, 12 counties have five-member boards and 11 counties have three-member boards. Counties may form partnerships with municipal governments and may form joint powers boards with other governmental entities. As counties are governed by Dillon's rule, boards are limited to the actions, ordinances and regulations that are permitted by state law.

Row Officers	Elected/ Appointed	Mandatory/ Optional
Assessor	Elected	Mandatory
Clerk	Elected	Mandatory
Coroner	Elected	Mandatory
County and Prosecuting Attorney	Elected	Mandatory
District Court Clerk	Elected	Mandatory
Sheriff	Elected	Mandatory
Surveyor	Appointed	Optional
Treasurer	Elected	Mandatory



COUNTY STRUCTURE

Legislative Branch: Three or five elected members make up a board of county commissioners which acts as the legislative decision making body of a county.

Executive Branch: The board of county commissioners acts as the sole executive decision making body in a county. Wyoming counties may appoint a county administrator as a chief administrative officer.

Judicial Branch: Counties are divided into nine judicial districts. Each county has one district court which presides over criminal and civil cases as well as juvenile and probate matters. District courts also hear appeals on decisions from lower courts.

Optional Forms of Government:

- Board of Commissioners
- Commission-Administrator



COUNTY AUTHORITY

Executive Power: Commissioners may levy taxes with voter approval, purchase land and construct and maintain buildings and roads. Counties may also provide or increase fire protection for people and property.

Ability to Form Partnerships: Counties may form municipal corporations authorized to conduct local and government affairs, as well as joint powers boards with other governmental entities.

Call a State of Emergency: Counties may call a state of emergency to make expenditures in excess of general revenues, but only with state approval.

Special Districts: Wyoming has 26 different types of special districts, including cemetery, fire protection and hospital districts. There are more than 650 special districts throughout the state.

SERVICES

SUMMARY

Counties may provide many of the typical local services, including road maintenance, parks and fire protection. Wyoming state law requires counties to provide certain services such as road planning and maintenance within their jurisdiction. Counties must also provide emergency preparedness services, in accordance with the Wyoming Homeland Security Act. Somewhat uniquely, Wyoming counties may approve or deny permits for construction projects related to wind and solar energy generation.



HEALTH AND HUMAN SERVICES

County Health Department: Counties **may**, either individually or with a municipality, create public health departments. District health departments may be created by a collaboration between commissions from adjacent counties.

Memorial Hospitals: Counties **may** create memorial hospitals, special hospital districts and rural health care districts.

Senior Citizen Service Districts: Counties **may** establish a senior citizen service district. The proposition must include a tax on the property at a rate no higher than two mills.

Child Welfare: The **state** administers child welfare services.

Burial Services: Counties **must** provide human burial services for deceased persons if not otherwise provided by the deceased's family, employer or other entity.



INFRASTRUCTURE

Roads: Counties **must** plan and maintain roads, and may acquire new land for that purpose.

Snow Removal: Counties **may** provide snow removal service on public roads.

Airports: Counties **may** acquire property to construct, maintain and operate airport facilities. The commissioners may levy taxes, issue bonds or incur indebtedness to fund the airport. Commissioners may also appoint a board of trustees.

Highway Viaducts: Counties **may** build/regulate new or existing highway viaducts or subways on any highway.

Transportation Authorities: Counties **may** establish regional transportation authorities.

Utilities: The **state** regulates almost all Wyoming utility services via the state public service commission, or by special districts with no county control. There are a few exceptions, however:

- **Solid Waste Disposal District:** Counties **may**, by resolution, establish one or more solid waste disposal districts.
- **Drainage:** Counties **may** establish a surface water drainage system, as well as drainage utilities and management.

SERVICES, CONTINUED



PUBLIC AMENITIES

Parks and Recreation: A county board of commissioners **may**, independently or jointly, establish a system of public recreation to be run and maintained by an appointed board of trustees. The county may also levy and expend funds for recreational purposes, and may acquire property for fairgrounds, airports and park grounds.

Libraries: Counties **may** establish and maintain a public library at the county seat. Counties must impose a tax to generate revenue for a library fund.

Day Care Centers: Counties **may** establish and have authority over public day care centers.

Museums: County boards of commissioners **may** purchase, construct or acquire archaeological, geological and historical museums, and must appoint trustees to serve on the museum board. Counties may also levy an annual property tax to fund the construction and maintenance of the museum.



ZONING AND DEVELOPMENT

Zoning Power: Counties **may** regulate and restrict the location and use of buildings, structures and lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county.

Zoning Restrictions: Counties **cannot** use their zoning authority to unreasonably interfere with mineral extraction or production, prevent authorized agricultural uses or restrict private school location.

Real Estate Subdivisions: Counties must regulate and control real estate subdivisions. Permitting fees imposed by counties **cannot** exceed the cost of processing applications.

Housing: Counties **may** operate or support any housing project, make loans for housing for low income families and provide several other housing related services. A county may cooperate in a joint powers agreement with another municipality, county or both to have their housing project powers exercised by a housing authority instead.

Wind and Solar Energy Units: Counties **may** approve or deny permits for the construction of wind and solar energy projects.

Industrial Development: Counties **may** acquire projects for the purpose of creating or encouraging the expansion of business and industry.

SERVICES, CONTINUED



PUBLIC SAFETY

Law Enforcement: An elected sheriff **must** run the county jail. In addition, counties **may** declare and abate nuisances determined by the board of commissioners to be a threat to public health or safety.

Jails: Counties **must** provide and maintain a suitable jail.

Courthouses: Counties **must** provide and maintain a suitable courthouse, including the proper infrastructure and technology for the court to function.

Fire: Counties **may** provide or increase fire protection for people and property.

Emergency Coordination and Response: Counties **must** provide emergency response and management services. County commissioners, local emergency managers and sheriffs share these responsibilities.



SCHOOLS

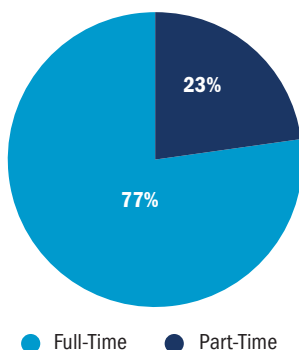
Education, Generally: Counties **may** provide financial support for public schools but otherwise **cannot** establish, supervise or operate schools.

Financing: Counties **must** levy an annual property tax of 43 mills on the dollar to support and maintain public schools.

Community Colleges: The **state** establishes special districts that supervise community colleges.

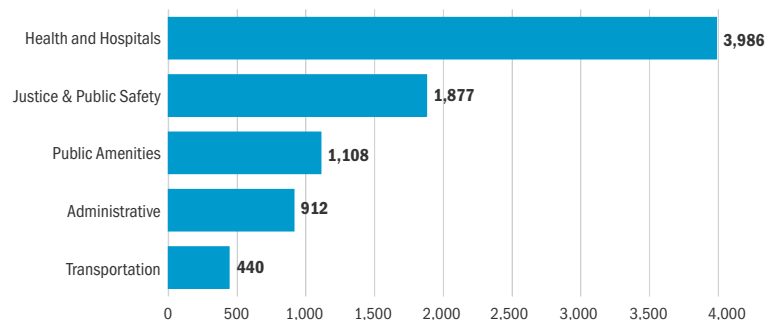
Extension Agents: Counties **may** partner with the state and federal government to deliver the Cooperative Extension Service which provides lifelong learning opportunities to apply research-supported information and leadership skills.

WYOMING COUNTIES EMPLOY 8,849 GOVERNMENT EMPLOYEES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

WYOMING COUNTY GOVERNMENT EMPLOYEES BY TOP FUNCTIONAL CATEGORIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

TAXATION/FINANCES

SUMMARY

Counties are empowered with the authority to levy property taxes and sales and use taxes, with voter approval. Wyoming state statute provides specific guidelines for the many ways in which counties may impose excise taxes on retail transactions and lodging. There is a debt limit, but limitations on indebtedness may be eased by using leasing when funding is not available to finance a purchase up front. Counties may also generate highway viaduct and subway bonds and may establish a specific building fund.



FINANCES, TAXES AND LIMITATIONS

Real Property Tax: Counties **may** impose a property tax at a maximum rate of 1.2 mills. Revenues from this tax go into the county general fund.

Commercial Personal Property: Counties **may** impose taxes on commercial personal property with a maximum rate of 3 percent of the valuation of the property.

Sales Tax: Counties **may** impose a local option sales tax for general revenues, specific purpose revenues or economic development at a combined rate of up to 3 percent.

Excise Tax:

- **Retail:** Counties **may** impose a tax on retail sales in increments of 0.5 percent and at a maximum rate of 2 percent for general revenue purposes. Separate excise taxes may be imposed on retail for specific projects at a max rate of 2 percent. Counties may tax resort district general revenue at 0.5 percent increments with a maximum of 3 percent and economic development at 0.25 percent increments with a maximum of 1 percent. The combined rate of all retail excise taxes may not exceed 3 percent.

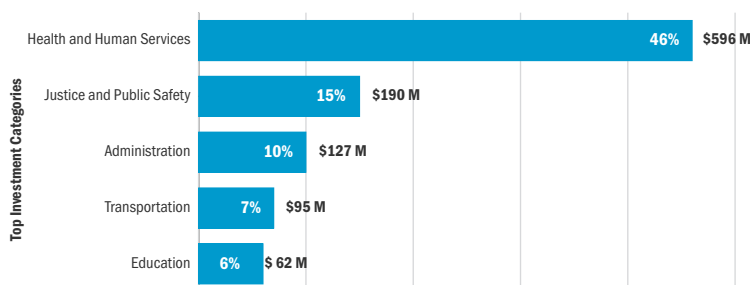
- **Lodging:** Counties **may** impose an excise tax on lodging in increments of 1 percent with a maximum rate of 2 percent, for local travel and tourism promotion.

Debt Limit: The debt limit for each county is equal to 2 percent of the assessed property value of the county.

Other Finance Info:

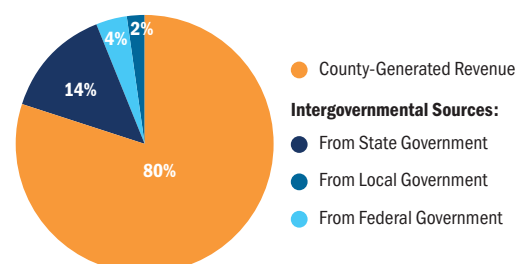
- **Viaduct and Subway Bonds:** Counties **may** generate viaduct and subway bonds. The payment of interest and principal of these bonds must be supported by a tax levy.
- **Building Fund:** Counties **may** establish a building fund to erect county buildings, additions or improvements. Funds may be raised by a max rate of a 2 mill levy.
- **County Road Construction and Maintenance Fund (CRCMF):** Each county **must** use a CRCMF to fund road construction from an account kept separate from other county financial accounts. The **state** provides county CRCMFs with a portion of the state severance and fuel taxes.

WYOMING COUNTIES INVEST \$1.3 BILLION ANNUALLY



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017

WYOMING COUNTIES RECEIVE \$203 MILLION FROM INTERGOVERNMENTAL SOURCES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017