

Unapproved Minutes

Board of Commissioners of Converse County

The regular meeting was called to order on November 17, 2009 at 8:00 a.m. Present were Chairman Ed Werner, Vice-Chairman Mike Colling, Commissioners Dave Edwards, Tony Lehner, Jim Willox and County Clerk Lucile Taylor.

Mr. Willox moved to approve the application of Qwest to cut 55 Ranch Road (CR 23). Mr. Lehner seconded, motion carried.

Mrs. Terry Henderson reported on the American Stewards of Liberty Conference that she attended in Denver on behalf of Converse County.

Mr. Bob Johnson, Mr. Tim Schenk, representing Reilly Johnson and GSG Architecture, along with support staff, discussed some alternatives for building the detention center.

The regular meeting recessed at 12:00 p.m. into a work session and reconvened at 12:47 p.m.

Mr. Edwards moved to approve the minutes of November 3 and 4, 2009. Mr. Lehner seconded, motion carried.

Mr. Lehner moved to appoint the following individuals to the Converse County Natural Resource Planning Committee: Mr. Frank Eathorne, Mrs. Terry Henderson, Mr. Tim Pexton, Mrs. Michelle Huntington, Mr. Brady Vollman and Mr. Mark Grant. Mr. Colling seconded. Discussion: The initial appointments will be for a one-year term to give the committee time to organize and establish bylaws, to include staggered terms. The Commission will reappoint individuals in November 2010 from the original appointees that reflects the staggered terms. The Commission will ask Mr. Frank Eathorne to lead the organizational efforts until the bylaws are adopted. Mr. Colling seconded, motion carried.

Mr. Edwards moved to approve the letter of support for the grant application in the amount of \$250,000 being submitted by the Ft. Fetterman Sportsmen's Association to the National Rifle Association for improvements at the County Firing Range. Mr. Willox seconded, motion carried.

Mr. Colling moved to approve **RESOLUTION 21-09**

**A RESOLUTION TO DOCUMENT CONVERSE COUNTY'S/LAW
IMPLEMENTATION OF THE PROVISIONS OF SECTION
414(h)(2) OF THE INTERNAL REVENUE CODE, REGARDING EMPLOYER
PICK-UP OF EMPLOYEE RETIREMENT CONTRIBUTIONS TO THE WYOMING
RETIREMENT SYSTEM**

WHEREAS, Converse County/Law has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, Converse County/Law took official action regarding section 414(h)(2) IRC on December 1, 2008; and

WHEREAS, Converse County/Law wishes to adopt this resolution in order to have additional documentation confirming its prior formal actions to pick up contributions under the Plans.

WHEREAS, Converse County/Law has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Wyoming Retirement System:

BE IT HEREBY RESOLVED BY THE GOVERNING BOARD OF CONVERSE COUNTY/LAW AS FOLLOWS:

I. That Converse County/Law will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to W.S. § 9-3-412(b) on behalf of its employees who are members of the Wyoming Retirement System. "Employee contributions" shall mean those contributions to the Wyoming Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts.

II. That the contributions made by Converse County/Law to the Wyoming Retirement System, although designated as employee contributions, are being paid to the Wyoming Retirement System by Converse County in lieu of contributions by the employees who are members of the Wyoming Retirement System.

III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by Converse County/Law to the Wyoming Retirement System.

IV. That Converse County/Law shall pay to the Wyoming Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

V. That the amount of the contributions designated as employee contributions and picked-up by Converse County/Law to the Wyoming Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Wyoming Retirement Act.

VI. That the contributions designated as employee contributions made by Converse County/Law to the Wyoming Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Wyoming Retirement System.

VII. This resolution is effective on the same date that Converse County/Law first provided for employee contributions, and shall apply prospectively to all future employee contributions.

PASSED, APPROVED AND ADOPTED THIS 17th of November, 2009.

BOARD OF CONVERSE COUNTY COMMISSIONERS

/s/ _____
Ed Werner, Chairman Aye – ~~Nay~~

/s/ _____
Mike Colling, Vice-Chairman Aye – ~~Nay~~

/s/ _____
Dave Edwards, Member Aye – ~~Nay~~

/s/ _____
Tony Lehner, Member Aye – ~~Nay~~

/s/ _____
James H. Willox, Member Aye – ~~Nay~~

ATTEST: _____

Lucile K. Taylor, Converse County Clerk

Mr. Lehner seconded, motion carried.

Mr. Edwards moved to void warrant 31376 BNSF Railway \$30,000. Mr. Willox seconded, motion carried.

The regular meeting adjourned at 1:06 p.m. on November 17, 2009.

Ed Werner, Chair

Attest: _____

Lucile K. Taylor, Converse County Clerk

Publish: Nov 25/26, 2009