

Hoback Ranches Service and Improvement District

P. O. Box 33

Bondurant, Wyoming 82922

JULY 13, 2019 ANNUAL MEETING

MINUTES

Directors in attendance: Dave Nemetz, Sam Sumrall, Sally Ruosch

Owners in attendance: Emily Haigler, Cherann Bradbury, Jess Bradbury, Gary Ryan, Susan Ryan, Bruce Cameron, Andy Weller, Molly Nemetz, Paul Nemetz, Jim Hinckley, Lyn Hinckley, Cat Love, Lou Love, Pete Teller, Sandy Teller, Jim McCollum, Roice McCollum, Tom Drean, Kitty Drean, Ron Warren, Alice Warren, Greg Bemis, Vince Sellers, Julia Corbett, Doug Reiniger, Anne Reiniger, Bambi Rich, Jennifer Jensen, Andy Taylor, Dena Baker, Bob Johnson, Brenda Johnson, Susan Juvelier, Mark Houser, Bill Conley, Lucy Conley, Ron Chilcote, Fran Chilcote, Alice Jacobson, Troy Jerup, Rick Wright, De Wright, Carol Ann Artes, Eva Marie Watson, Rusty Blue, Sylvia Roch, Abbey Smith, Geoff Keogh, Cindy Jansa, Lanie Beebe, Jason Hauser, Kristie Caddy, Andrea Sramek, Brad Eves, Nikki Cowley, Terry Bernatis

Guest in attendance: Jim Roscoe, State representative, District 22

MINUTES AND RESOLUTIONS APPROVAL

Chairman Nemetz called the meeting to order at 1:01 p.m. at the St. Hubert Church in Bondurant, Wyoming, and welcomed owners to the 2019 HRSID annual meeting. He called for a motion to approve the 2018 annual meeting minutes. Director Sumrall made a motion to approve the minutes and Director Ruosch seconded. The motion carried unanimously. He then asked for a motion to approve the 2019 early summer meeting minutes. Ms. Sramek and Mr. Eves objected to approving the minutes because several owners' comments were left out. Mr. Ryan quoted the Webster dictionary, saying that minutes are a brief summary, not a transcription which is word for word. Mr. Teller said the minutes summarize Hoback Ranches business only and not individual owners' disagreements.

Mr. Eves asked why the HRSID is paying for Upper Picnic Ridge easement holders' legal fees in the lawsuit involving UPRR owners. Director Ruosch explained that the HRSID is not paying any legal fees relating to a private lawsuit filed in June 2019. The reference in the September 6, 2018, minutes to the HRSID paying half of the legal fees was for clarification of Sublette County's position on the status of UPRR. The County Attorney issued his opinion in a letter dated January 25, 2019, that the County would not take a position whether UPRR is public or private, and it would have to be settled by the courts. Director Ruosch stated that all vouchers

paid by the HRSID during the fiscal year 2018-2019 were published at the early summer meeting and the annual meeting. Any payments to attorney Doug Mason were not for the private lawsuit and were paid months prior to the lawsuit (which is between owners on UPRR and does not involve the HRSID) being filed.

Chairman Nemetz then asked for the question to approve the minutes as written. Director Sumrall made the motion and Director Ruosch seconded. The motion passed unanimously.

Director Sumrall read Resolution 19-002 and Director Ruosch read Resolution 19-003 (posted on the hobackranches.com website). Both resolutions passed unanimously.

WINTER COMMITTEE REPORT

Mr. Ryan reported that there were fewer residents living in the Ranches this winter because of homes destroyed in the Roosevelt Fire. He also said there was more wind which caused excessive drifting due to the lack of vegetation. He thanked all who donated to the winter fund, especially those who don't live in the Ranches in the winter, and the eight owners who lost their homes in the fire, but still donated. He said the fund had a small surplus at the end of the season.

BRIDGER-TETON NATIONAL FOREST, BIG PINEY RANGER DISTRICT, UPDATES

Don Kranendonk, Big Piney District Ranger, began his presentation by expressing his sympathy to Hoback Ranchers who lost property in the fire. He invited everyone to attend an open conversation regarding ongoing and future Forest activities in the Bondurant and Hoback areas on July 22 at 7:00 p.m. at the Bondurant School. Topics to be included are fire suppression repair options, upcoming Forest road work and agreements with Sublette County, Roosevelt timber salvage, mushrooms and commercial harvesting, trail work and trail head relocation near the Hoback guard station, trails, roads and Forest access to and from Hoback Ranches, status of the Monument Ridge fuels project and upcoming projects being discussed by the Sublette County Collaborative. He elaborated on some of these topics and encouraged Hoback Ranchers to attend the July 22 gathering for a more interactive session.

NRCS PROGRESS REPORT

Chairman Nemetz reported that the NRCS grant started December 6, and had a six-month window for completion, however, a 60-day extension has been granted that will expire September 26. Cody Post started drainage mitigation, which includes rip rap, silt fences and culvert clean out, on the west side of the Ranches. Hazardous tree felling was started on the east side this week by Aaron Koch. He said Team Rubicon will be returning next Friday, July 19, and work through the weekend placing straw wattles on slopes requiring mitigation. Chairman Nemetz said help will be needed Friday morning at 9:00 a.m. to unload straw wattles from the

delivery semi, prior to the arrival of Team Rubicon. He also encouraged volunteers to help place straw wattles.

He thanked Ultra Petroleum for donating labor, equipment and materials to grade and apply magnesium chloride to the first three miles of Rim Road where it transects the Forest Service, and said an anonymous donation paid for dust abatement from the gate to Elk Drive.

Director Sumrall expressed the sentiment that the fire changed everything, and that the Board's decisions for mitigating damages have been made with the best intentions for all owners in the Ranches. Contractors selected had the best experience, best price, and were available to work on our schedule. Before establishing a policy for tree felling, the Board consulted the Forest Service and other foresters to determine what distance from the road would prevent dead trees from falling on the road. It was suggested that trees be cut up to 200 feet from the road. That distance seemed too extreme, so 100 feet in critical areas was recommended by the NRCS engineers. In the short time mitigation has been underway, it has become apparent that there are too few people to supervise the work, too many moving parts, and the system isn't working. There have been three situations where private property has been encroached upon without permission.

Director Sumrall then stated that the policy will be changed so that all tree felling will be done within the 33 feet easement on both sides of the road. If owners who signed the "License to Enter Upon Land and Release of Liability" agreement still want burnt trees removed up to 100 feet from the centerline of the road, they or their representative must be present to supervise the work. This change of policy is effective immediately.

PUBLIC RECORDS ACT

Director Ruosch explained that the Wyoming State legislature adopted the Public Records Act in the 2019 session with the intention of increasing transparency and accountability of government. The law went into effect July 1, 2019. It requires special districts, which are governmental entities, to have a public records depository and a public records person. The Sublette County Clerk is the HRSID depository and Director Sumrall is our public records person. The Public Records Request form will be posted on the HRSID website and anyone who wants to inspect the district records or have them copied should print and fill out the form, then mail it to the HRSID, P. O. Box 33, Bondurant, Wyoming 82922. Director Sumrall will pick it up at the post office, contact the applicant and refer them to the County Clerk. The Clerk's office will charge 25 cents per page to make copies.

FUTURE EARLY SUMMER AND ANNUAL MEETING AGENDAS

Director Sumrall announced that owners who have specific topics that pertain to the HRSID may submit their request to be put on the agenda by filling out the agenda request form available on the HRSID website.

FENCING

Mr. Conley said the replacement of the boundary fence project has begun. The south eastern corner of the ranches adjacent to the Miller Ranch is complete. The Roosevelt Fire burned a large segment of the boundary fence. Hoback Ranches received a grant prior to the fire to replace all boundary fence with animal friendly fencing as recommended by the U.S. Forest Service and the BLM.

Hoback Ranches is on a critical mule deer migration path from Yellowstone to the Red Desert. The grant is for \$128,000, and covers most of the fencing except for about \$40,000. Donations are greatly appreciated. So far donations have been received from the Hinkleys, Tomincs, and Ryans. Hoback Ranches is required to provide in-kind labor to remove the old fencing where it still exists. The Jackson Hole Wildlife Foundation has offered volunteers to help remove fencing on the northern boundary. We encourage property owners along the fence to remove old metal fence posts and wire wherever they can. We are working with the local ranchers to determine where grazing will occur first along the border, as we only have two years to replace the fencing before annual grazing occurs on the BLM and Forest Service Land.

BUILDING CHECKLIST, RULES AND PROCEDURES, COMMITTEES

A copy of Ms. Jansa's presentation, as well as a request from owners to review the rules and procedures adopted in June 2018, are attached to these minutes. Mr. Conley, former HRSID chairman, explained that these rules were adopted in July 2018 after a public meeting in June 2018, preceded by a 45-day public comment period, per statutory requirements.

REQUEST FOR DAVE NEMETZ TO STEP DOWN FROM THE BOARD

A copy of Mr. Eves' presentation is attached to these minutes.

There was no rebuttal period following this presentation, and these comments have not been verified for factual content. They may not represent the opinions of the majority of the community.

Mr. Nemetz submitted the attached statement, **which will not be a part of the official minutes.**

CLOSING COMENTS

Mr. Chilcote encouraged participation from the community, and said he experienced good community relations in the past by everyone working together.

Mr. Cameron said he owes a debt of gratitude to neighbors and friends, including firefighters, the Lion's Club, FFA volunteers and the cleanup weekend.

The meeting was adjourned at approximately 3:45 p.m.

Thank you for allowing me the opportunity to speak, my name is Cindy Jansa and my parents are David and Holly Robinson. We have been in the Ranches at Deer Haven and Rim since the early 90s, and our home was destroyed in the fire. I asked to address the board on three topics that are a concern to a large and growing number of property owners in the ranches.

The new building construction checklist, the changes made to the rules last June and the possibility of re-establishing the Committees that once worked to help serve the needs of the property owners in the District. With the hope that involving the ranchers again in the administration of the district might help to alleviate the sense of "us against them" that has been creeping into our community.

Regarding the building checklist:

As originally created by the Covenant committee, this document was used as a guide to assist owners, contractors and realtors to build and sell within the framework of the covenants and represent the properties for what they were. Rural properties with limited access, limited services, under protective covenants. Building permits were never contingent upon board approval and that was never the original intent of the checklist, nor was it intended to be used in this way by the board. Will all previous septic inspections, well certs and road surveys on destroyed properties still be recognized from original installations? Will all existing buildings and properties be required to comply with the checklist (including previous septic systems, wells and road surveys) and require board approvals? As being used now, the checklist and associated costs put a unique burden on those of us that had our properties destroyed in the fire. Is that fair? If this checklist is being used as a helpful guide fine. If it is ever used to settle personal scores, or place unique and undue power in the hands of a few that's a different story

Regarding the access addition to the checklist, #20b. From new rule #12. What happens to the grandfathered access protection promised by Doyle Child when he sold us our property? Is the concept of grandfathered now null and void?

Regarding the Amendments and additions made to the rules last year:

The vast majority of people I have spoken to regarding this were not aware that the rules had been changed and some were unaware we had any rules at all. Be that due to not receiving proper notifications or not understanding all the details, whatever the reason they now have legitimate questions and concerns. I fully understand that ignorance of the rules is not a defense, but in this case, the questions and concerns of the property owners should be heard and properly addressed. I also understand that this might not be the appropriate forum to discuss reviewing and amending those rules. That being said, I and many others would like to request an official meeting be convened, at a time and place convenient to and agreed upon by the property owners and board. The goal should be to have participation by all requesting to attend. The purpose of this meeting would be to review the rules, address concerns and questions, consider changes and perhaps draft amended rules. I would also request that a copy of the original rules be returned to the web site.

Regarding committees:

Once upon a time in the Hoback Ranches there were committees made up of motivated ranchers that were actively involved in various aspects of managing and attending to the needs of the district. They were surveying roads and fences, cleaning and maintaining culverts, eradicating weeds and guiding owners, builders and realtors through the potential pitfalls that could be encountered if not educated about the Covenants. Is that something we might consider resurrecting? Simply stated...what can we do to have meaningful and real time involvement of the property owners in important decisions, issues and activities that benefit and impact us all?

July 13, 2019

Hoback Ranches Service and Improvement District

Board of Directors
PO Box 33
Bondurant, WY 82922

To whom it may concern:

We the undersigned property owners of the Hoback Ranches are formally requesting an official review of the substantive rules adopted by the Hoback Ranches Service and Improvement District on June 16, 2018. Per section 11.2(c) of the amended and restated rules and regulations of the Hoback Ranches Service and Improvement District.

We look forward to arranging a time in the near future for this review and eagerly await your reply.

Signed with permission:

1. Cindy Jansa
2. David Robinson
3. Holly Robinson
4. Tom Drean
5. Kitty Drean
6. Alice Warren
7. Ron Warren
8. Eric Fleming
9. Matt Borst
10. Tom Sramek
11. Andrea Sramek
12. Brad Eves
13. Nikki Cowley
14. Terri Sellers
15. Vince Sellers
16. Ernie Albitre

17. Jim McCollum
18. Ed McCollum
19. Jason Houser
20. Emily Johnson Haigler
21. Tom Haigler
22. Shari Hahn
23. Chuck Pfeifer
24. Rob Pfeifer
25. Stu Godin
26. Jess Bradbury
27. Cherann Bradbury
28. Eric Reed
29. Andrea Reed
30. Bodean Barney
31. Tara Barney
32. Jake Abbott
33. Charlee Abbott
34. Cole Abbott

Thank you for allowing me 5 minutes of your time

I am Bradley Eves of 118 Upper Picnic Ridge road, which Nikii Cowley and I have owned since 2011. We have used Upper Picnic Ridge Rd. to access our property since 2011. When we purchased our property, we checked with County Clerk Mary Lankferd on the access to that property and we were told that Picnic Ridge Rd was a public road. We also spoke with Nole and Patricia Holmgrens about access and they stated that the road was always supposed to provide access to our property, that is how Doyle Child had always intended to purpose it, he just never completed the road. The Holmgrens at that time granted us permission to continue the road construction to our property, which we did.

In approximately 2014, we met David Nemetz for the first time. It was quite the hostile meeting and it has been so ever since we refused to pay David Nemetz and Garry Zunino a "ransom" to use a public road. Nikki and I have tried in every way to work out something amicably with the other parties, but to no avail. We have tried to work out a new agreement that would work for everyone since the service and improvement district board will no longer maintain Upper Picnic Ridge Rd, or several other roads within the ranches due to the cost. Although understandable, that should not mean that those roads immediately become private roads that no one can use. Everyone within the ranches has paid to maintain them out of the budget and I personally have put in construction and maintenance of Picnic Ridge Rd.

Just so it is on record, Nikki and I do appreciate all of the work that David Nemetz has done to secure all of the grant money that we have all received, as well as all of the time and energy he has given to everyone within the ranches. At this time; however, my partner and I no longer feel that he is fit to serve on the board, and this is why. The by-laws state that you cannot serve on the board if there are any conflicts of interest and there clearly is. For example:

We hired Rio Verde to survey our property. The surveyor informed me that Mr. Nemetz called under the guise of his position as Chairman of the district board to obtain the information in our survey. Nemetz told the surveyor that the district required the information contained in the survey, which he then used as ammunition for the personal lawsuit he filed against Nikki and me recently.

Ever since David has held a position on the board, the level of harassment from him and past board members has worsened. Due to this, we do not feel that the board can make any impartial decision about the situation at this time without being biased due to his influence on the board and his personal involvement.

Therefore, at this time I am asking that he steps down, or be removed, from the board. Also that any decisions, emergency votes, or meetings that have taken place by the board, since his appointment, regarding Upper Picnic Ridge Rd be stricken from the record and reversed immediately and that all of the money that has been spent on the lawyer in this matter by our board members be paid back to the community.

Furthermore, I do not understand how everyone within the ranches has to pay for this lawsuit out of our budget, which is supposed to be for roads and fences. Not to fund a frivolous lawsuit that this man has created because he refuses to accept any agreement that Nikki and I have tried to purpose to them.

If everyone has to pay for it out of the budget then why are my lawyers not paid for as well? We are residents that live within the ranches. Why do we not fall under the same category of protection as they do? We are just trying to rebuild our life after the tragedy that so many of us have had to endure this last year.

Thank you for your time, and we do expect immediate action on all aspects of our request.

I would also ask that a copy of this letter be added in its entirety to the minutes of this meeting.