

**AMENDED AND RESTATED  
RULES AND REGULATIONS OF THE  
HOBACK RANCHES SERVICE AND IMPROVEMENT DISTRICT**

These Amended and Restated Rules and Regulations dated June 16, 2018 supersede and replace in their entirety all prior Rules and Regulations and any amendments. These Rules and Regulations will be reviewed annually by the Board of Directors to maintain currency with Wyoming Statutes and established District procedures.

These Rules & Regulations are developed under the guidelines provided by but not limited to the following Wyoming Statutes for the operation of Improvement & Service Districts referenced throughout the document: W.S. 9-1-507

W.S. 16-3-103

W.S. 16-4-101 through W.S.16-4-408

W.S. 16-12-102a

W.S. 16-12-303 through W.S.16-12-304a

W.S. 16-12-402 through W.S. 16-12-414

W.S. 18-12-101 through W.S. 18-12-141

As provided in the Wyoming Statutes, these Amended Rules and Regulations shall be filed in the office of the Sublette County Clerk in Pinedale, Wyoming.

**RULE 1**  
**DEFINITIONS**

1.1 "Assessed Value" means the assessed value of real property, and improvements and personal property thereon, within the District as determined from the last assessment roll of Sublette County, Wyoming.

1.2 "Board" means the Board of Directors of the Hoback Ranches Property Owners Improvement and Service District, aka: Hoback Ranches Service & Improvement District.

1.3 "Charge" means fees, tolls, rates and rentals.

1.4 "Contested Case" means a proceeding in which legal rights, duties or privileges of a party are required by law to be determined by the Board after an opportunity for hearing.

1.5 "Director" means a member of the Board of Directors of the Hoback Ranches Improvement and Service District, aka Hoback Ranches Service & Improvement District.

1.6 "District" means the Hoback Ranches Property Owners Improvement and Service District, aka: Hoback Ranches Service & Improvement District.

1.7 "Elector" means a person defined as an elector under the Improvement and Service District Act.

1.8 "Expenses" or "Costs" means all expenses of hearings, bond elections, expenses incurred by members of the board of directors in connection with the performance of their duties, engineering, accounting and legal expenses, costs and expenses incurred in connection with the acquisition, construction, repair, maintenance, replacement and operation of improvements provided by the District, insurance premiums, and other expenses incurred by the Board of Directors in carrying out the purposes and powers of the District.

1.9 "Improvement" means and includes buildings, structures and all facilities of a public nature intended for public use, including but not limited to entrance gates, border fencing, streets, and other public ways, and with respect to the foregoing, such additional facilities or improvements as relate or contribute to the full public use and enjoyment thereof.

1.10 "Landowner" or "Property Owner" means the person holding record fee title to real property or a person obligated to pay general property taxes under a contract to purchase real property.

1.11 "Party" means each person or agency named or admitted as a party or properly seeking and entitled as of right to be admitted as a party.

1.12 "Person" means any individual, partnership, corporation, association, municipality, governmental subdivision or public or private organization of any character other than the Board.

1.13 "Service" means the operation and maintenance of improvements and any other service authorized by the Improvement and Service District Act.

**RULE 2**  
**CHARGES FOR SERVICES AND ADMINISTRATION**

2.1 Charges for Administration Expenses. The Directors shall charge each landowner their pro rata share, in such rate, proportion or percentage as determined by the Directors, for the costs of administering the District. The expenses of administering the District shall include, but not be limited to, all expenses for professional services, actual and necessary expenses of the Directors and Officers incurred in connection with the performance of their duties, the cost of any liability or other insurance for the District, its officers. These charges are identified and approved through the annual budgeting process.

2.2 Charges for the Use of Improvements and Services. The Directors may establish and collect charges for culvert installation, replacement or repair, road maintenance, road safety indicators, ordinary fence repair, road grading and related services and the use of improvements or services provided by the District, including authority to change the amount or rate thereof, and to pledge the revenues therefrom for the payment of District indebtedness. Users of District improvements or services, other than landowners, may be charged by the Directors for the use of such improvements or services. These charges are identified and approved through the annual budgeting process.

2.3 Methods of Collection. Charges for administration and the use of improvements and services shall be collected by methods such as shall be determined by the Directors from time to time. These charges are identified and approved through the annual budgeting process. Methods may include all those permitted by law, including but not limited to:

- (a) Collection of charges by the County on behalf of the District directly from landowners or users, either monthly, quarterly, semi-annually, annually, or on such basis as the Directors shall determine by resolution.

- (b) Collection of charges through the County Assessor's Office by assessment(s) for administration expenses and for the use of any improvement to cover the cost of operating and maintaining the improvement, after application to and approval by the County Commissioners.
- (c) Collection of charges through the County Assessor's Office by tax levy made by the Sublette County Commissioners, pursuant to special assessment(s), said special assessment(s) to be developed according to the procedures set forth in Rule 5 below.
- (d) Collection of charges through the County Assessor's Office by tax levy made by the Sublette County Commissioners pursuant to the issuance of bonds to facilitate the performance of services for the benefit of the residents of the District, said bonds to be issued according to the procedure set forth in Rule 7 below.

2.4 Tax Liens. Charges to be collected by taxes, together with interest thereon and penalties for default in payment thereof, and all costs of collecting the same, constitute, until paid, a perpetual lien on and against the property taxed, and such lien shall be administered as and on a parity with the tax lien of other general taxes.

2.5 Delinquencies and Other Liens. Charges to be collected directly by the County on behalf of the District constitute, until paid, a perpetual lien on and against the property served or benefited, and any such lien may be foreclosed in the same manner as provided by the laws of the state of Wyoming for the foreclosure of mechanics' liens. Before any such lien is foreclosed the County shall hold a hearing thereon after notice thereof by publication and by registered first class mail, postage prepaid, addressed to the last known owner at his or her last known address according to the record of the district and the real property assessment roll in Sublette County. The delinquent property owner shall also be liable for costs of collection, including interest and a reasonable attorneys' fee.

2.6 Charges for Non-Budgeted Services and Administrative Expenses. The Board may charge landowners for the “reasonable and necessary cost” of services and expenses more than the amount approved in the budget pursuant to Rule 4.2 if the Directors, in their sole discretion, deem it necessary to protect the health and welfare of the residents in the District and the value of their property in the District. (i.e. Emergency Services or Legal Action)

2.7 Charges for Copying and Administrative Expenses. While a property owner is entitled to view copies of the District’s records, the Board may charge a reasonable fee for copying and administrative costs. The cost charged to the District for records kept by the County, the District’s CPA, lawyer, or accountant which is not otherwise available, is presumed to be a reasonable fee or the prevailing market rate for which an owner shall prepay to the Board for such service. The District will maintain a current fee schedule listing staff category, and applicable charges for the research and copying costs for documents requested. This is to be shared at the time of the records request. If an owner obtains records from the District or County without prepayment and refuses to pay the same, the District may file a Small Claims action against the owner or may assess the owner in the next budget as part of the owner’s real property assessment.

**RULE 3**  
**IMPROVEMENTS AND ASSESSMENTS GENERALLY**

3.1 Payment for Improvements. Improvements may be paid for with funds received or generated by the District as permitted by law, including but not limited to payment by annual assessment as set forth in Rules 3 and 4, payment by special assessment as set forth in Rule 5, and contributions from property owners.

3.2 Assessments for Improvements Benefiting Specific Property. The Directors shall charge each landowner for services provided by the District based on assessed value of said landowner’s property in the District, flat fee, direct cost, frontage, zone or other equitable basis, or any combination of said methods as the Directors shall, at their sole discretion, determine from time to time by resolutions. When an improvement proposed by the Board is intended to benefit specific property in the District to a greater extent than other property, the improvement may be financed with an assessment against the property specifically intended to be benefited upon a frontage, zone or other equitable

basis, in accordance with benefits. Such determination shall be in the sole discretion of the Board.

3.3 Determination of Annual Assessments. The Board, as it deems required, shall establish an annual assessment against property in the District based on the amount approved in the budget for improvements, if any, as set forth in Rule 4.2, taking into account the amount of any principal, interest and reserve funds coming due that year from any outstanding or budgeted bond issues or indebtedness for services and improvements, as well as other anticipated revenues. Additionally, the Board may establish annual assessments for the collection of charges by the County Assessor for administration expenses and for services and the use of improvements, as set forth in Rule 2. In such case, the amount of the annual assessments for said expenses, services and use of improvements against each property owner may be forwarded to the Assessor's office by the Treasurer of the District on or before the date when the Sublette County Assessor's office requires such information which is generally by the third Thursday of July, except for those charges or assessments the Board chooses to collect directly from property owners as permitted by law.

3.4 Collection of Assessments. All taxes levied pursuant to these Rules and Regulations and the Improvement and Service District Act, together with interest thereon and penalties for default in payment thereof, and the cost of collecting the same, constitute, until paid, a perpetual lien on and against the property taxed, and such lien shall be administered as and on a parity with the tax lien of other general taxes.

#### **RULE 4** **BUDGET FOR IMPROVEMENTS AND SERVICES**

4.1 Definitions as they relate to Budgets: (§16-12-402).

(a) As used in this Rule 4:

(i) "Appropriation" means an allocation of money to be expended for a specific purpose;

(ii) "Budget" means a plan of financial operations for a fiscal year embodying estimates of all proposed expenditures, the proposed means of financing them and what the work or service is to accomplish;

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- (iii) "Budget year" means the fiscal year or years for which a budget is prepared;
- (iv) "Department" means the state department of audit;
- (v) "Estimated revenue" means the amount of revenues estimated to be received during the budget year in each fund;
- (vi) "Fiscal year" means the annual period for recording fiscal operations beginning July 1 and ending June 30;
- (vii) "Fund balance" means the excess of the assets over liabilities, reserves and contributions, as reflected by an entity's books of account;
- (viii) "Proposed budget" means the budget presented for public hearing as required by W.S. 16-12-406 and formatted as required by W.S. 9-1-507(a)(viii) and 16-12-403;
- (ix) "Unappropriated surplus" means the portion of the fund balance of a budgetary fund which has not been appropriated or reserved in an ensuing budget year.

#### 4.2 Preparation of Budgets; Contents; Review (§ 16-12-403)

(a) The Board shall prepare a proposed budget pursuant to W.S. 9-1-507(a)(viii). The proposed budget shall comply with department rules and set forth:

- (i) Actual revenues and expenditures in the last completed budget year;
- (ii) Estimated total revenues and expenditures for the current budget year;
- (iii) The estimated available revenues and expenditures for the ensuing budget year.

(b) The estimates of revenues shall contain estimates of all anticipated revenues from any source whatsoever. The estimates shall be made according to budget year, including the difference from the previous budget year for each source.

(c) Each proposed and adopted budget shall be accompanied by a budget message in explanation of the budget. The budget message shall contain an outline of the proposed financial policies for the budget year and describe in connection therewith the important features of the budgetary plan. It shall state the amount of reserves on hand and outline the reserve policy for the budget year. It shall also state the reasons for changes from the previous year in appropriation and revenue items and explain any major changes in financial policy.

(d) The proposed budget shall be reviewed and considered by the Board in a regular or special meeting called for this purpose. Following a public hearing as provided in W.S. 16-12-406, the special district or other specified entity shall adopt a budget.

#### 4.3 Accumulated Reserves or Fund Surplus (§ 16-12-404)

(a) The District may accumulate reserves in any fund. With respect to the general fund the accumulated fund balance may be used to meet any legal obligation of the special district or other specified entity or to:

(i) Provide cash to finance expenditures from the beginning of the budget year until property taxes and other revenues are collected;

or

(ii) Provide a reserve to meet emergency expenditures.

(b) Money in the reserves may be allowed to accumulate from year to year until the accumulated total is sufficient for specified purposes in accordance with reserve policy.

#### 4.4 Property Tax Levy (§§ 16-12-405)

The amount of estimated revenue from property tax required by the budget shall constitute the basis for determination of the property tax to be levied for the corresponding tax years subject to legal limitations.



4.5 Budget Hearings (§ 16-12-406)

(a) **At the request of the board of county commissioners** and prior to adopting a budget, the Board shall hold a prehearing with the county commissioners. The Board shall hold a budget hearing in accordance with this section. Notice of the budget hearing shall be provided pursuant to the requirements of W.S. 16-12-304(b).

(b) **At the request of the board of county commissioners** and prior to July 1, the Board of the District shall present to the county commissioners:

- (i) A proposed budget;
- (ii) Verification of elections, public meetings and board member training; and
- (iii) The minutes from any meetings the district or other specified entity has held that year.

(c) Hearings for the District budgets shall be conducted not later than the third Thursday in July except as hereafter provided. The Board may choose to hold the budget hearing in conjunction with the county budget hearings and so advertise. Copies of publications of hearings shall be furnished to the director of the state department of audit.

4.6 Limitation on Appropriations (§ 16-12-407)

The Board shall not make any appropriation in the final budget of any fund more than the estimated expendable revenue and reserves of the fund for the budget year.

4.7 Adoption of Budget (§16-12-408)

(a) Within three (3) business days of the conclusion of the public hearing under W.S. 16-12-406, the Board shall adopt the budget. Certified copies of

the adopted budget shall be on file in the office of the District and made available for public inspection pursuant to W.S. 16-12-303 and Rule 10. The adopted budget shall be filed with the department of audit and county clerk on behalf of the county commissioners no later than July 31. The adopted budget shall be forwarded by the county clerk to the county assessor and county commissioners before mill levies are set.

(b) Prior to adopting the budget, the county commissioners may veto, in whole or in part, line items of budgets presented by the District.

4.8 Transfer of Unencumbered or Unexpended Appropriation Balances  
(§ 16-12-409).

The Board may by resolution transfer any unencumbered or unexpended appropriation balance or part thereof from one (1) fund or account to another. Notice under this section shall be provided pursuant to the requirements of W.S. 16-4-404.

4.9 General Fund Budget Increase (§ 16-12-410).

The budget of the general fund may be increased by resolution of the Board. The source of the revenue shall be shown whether unanticipated, unappropriated surplus, donations, etc. Where required by the principal act, the District shall receive approval by the county commissioners prior to the budget increase.

4.10 Emergency Expenditures (§ 16-12-411).

If the Board determines an emergency exists and the expenditure of money more than the general fund budget is necessary, it may make the expenditures from available funds as reasonably necessary to meet the emergency. Notice of the declaration of emergency and the amount of the emergency expenditures shall be provided in accordance with W.S. 16-4-404.

4.11 Appropriations Lapse; Prior Claims and Obligations (§ 16-12-412).

All appropriations shall lapse following the close of the budget year to the extent they are not expended or encumbered. All claims and obligations incurred prior to the close of any fiscal year shall be treated as if properly encumbered.

4.12 Transfer of Special Fund Balances (§ 16-12-413).

If the necessity to maintain any special revenue or assessment fund ceases and there is a balance in the fund, the Board shall authorize the transfer of the balance to the fund balance account in the general fund.

4.13 Interfund Loans (§ 16-12-414).

The Board may authorize by resolution interfund loans from one (1) fund to another at interest rates and terms for repayment as it may prescribe and may invest available cash in any fund as provided by law. Where required by the principal act, the special district or other specified entity shall receive approval by the county commissioners prior to the interfund loan.

**RULE 5**  
**SPECIAL ASSESSMENTS FOR IMPROVEMENTS**

In the event the need arises for a Special Assessment for an improvement within the District, the Board will follow procedures in accordance with W.S. 18-12-116 through W.S. 18-12-117.

5.1 Resolution of Intent. The Board shall declare by resolution their intent to order improvements which are to be paid for by Special Assessment. The resolution shall specify:

- (a) The nature of the improvement proposed;
- (b) The extent of the District to be improved;
- (c) The probable cost as shown by estimates of a qualified engineer or other knowledgeable source;

- (d) The time in which the cost will be payable; and
- (e) The time when a resolution authorizing the improvements will be considered.

5.2 Notice of Resolution. The Board of Directors shall request the Sublette County Clerk to give notice, by advertisement once in a newspaper of general circulation in Sublette County, to the owners of the property to be assessed, said notice to provide:

- (a) The information set forth in Rule 5.1;
- (b) That maps, estimates and schedules showing the approximate amounts to be assessed and all resolutions and proceedings are on file and may be seen or examined at the office of the Sublette County Clerk or other designated place; and
- (c) That all objections and complaints concerning the proposed improvements by owners of property subject to assessment will be heard and considered by the Board before final action, under the provisions of the Wyoming Administrative Procedure Act.

In addition to the published notice provided for in this rule 5.2, the Directors shall notify all property owners of any proposed special assessment by written notice mailed or sent by e-mail, at the discretion of the Directors, to each property owner in the District, at their last known mailing or e-mail address according to the record of the District, at least thirty (30) days in advance of the hearing date.

5.3 Objections to Special Assessments. All objections and complaints to a proposed special assessment must be submitted in writing to the Secretary of the Board of Directors on or before the date the matter is heard by the Board. The complaints and objections must be signed by the property owner and must state the reason for the complaint or objection. Any complaints or objections not conforming with this rule will not be considered by the Board and will not be deemed an objection to the improvement.

If objections to the improvement are made by owners or agents representing property subject to thirty percent (30%) or more of the projected dollar assessments the improvement may not be authorized and a new resolution for the same or a similar

purpose encompassing property representing objections may not be considered within one (1) year thereafter.

5.4 Proposals for Special Assessments by Property Owners. Owners of property within the District may request that the Directors consider a specific improvement for such property which will be paid for by special assessment, provided that such property owners shall be obligated to pay the total cost of any engineering estimates, surveying, legal costs, or other directly related costs incurred in determining feasibility of the improvement.

5.5 Hearing on the Resolution of Intent to Provide for Special Assessment. The hearing on the resolution of intent to provide for special assessment shall be conducted pursuant to the provisions of the Wyoming Administrative Procedures Act if required by law.

5.6 Notice of Apportionment; Assessment Roll. A copy of the resolution as finally adopted shall be recorded by the County Clerk who shall within sixty (60) days after the adoption of the resolution by written notice, mailed or otherwise delivered, notify each owner of property to be assessed of the amount of the assessment, the purpose for which the levy is made, the tax against each lot or parcel of land, and the date it becomes delinquent. The county assessor shall prepare a local assessment roll pursuant to law and deliver the same to the county treasurer for collection.

## RULE 6 HEARINGS GENERALLY

6.1 Contested Case Hearings Generally. If the District is required to hear contested cases, as defined by law, the Board shall conduct those hearings according to the provisions of the Wyoming Administrative Procedure Act,

6.2 Informal Hearings. Matters that do not qualify as contested case proceedings may be heard by the Board at their discretion. Such informal or investigative hearings may be held by the Board without compliance with these rules. The District is not adequately equipped to routinely conduct formal hearings. Only those matters coming under the purview of the Wyoming Administrative Procedures Act shall require

a formal hearing in accordance with these rules. Matter such as snow plowing, which is handled by the Winter Committee, and homeowner type disputes shall presumptively be heard by the Board as an informal matter not requiring compliance with these rules.

A party seeking an informal hearing shall make such a request to the Board through certified mail. Should the Board decide to grant a hearing, the party will be given an opportunity to address the Board at the next regular meeting of the Board, or at a special meeting called by the Board. So far as the orderly conduct of public business permits, any interested person may appear before the Board for the presentation, adjustment or determination of any issue, request or controversy in any proceeding or in connection with any District function.

#### **RULE 7**

#### **LIMITATION ON INDEBTEDNESS WITHOUT APPROVAL OF ELECTORS**

No debt in excess of the taxes for the current year shall, in any manner, be created by the District, unless the proposition to create such debt shall have been submitted to a vote of the landowners as defined in Wyo. Stat. § 18-12-102(a)(x) and electors as defined in Wyo. Stat. § 18-12-102(a)(vii) of the District and approved by a majority vote. (Art. 16 Section 4, Wyo. Constitution).

#### **RULE 8**

#### **CONTRACTS FOR PUBLIC IMPROVEMENTS AND SERVICES**

8.1 Three Bids for Contracts Over Twenty Thousand Dollars. Unless the directors unanimously agree, the Directors shall solicit and attempt to secure at least three (3) bids for all contracts for any type of public improvement or service, the cost of which exceeds twenty thousand dollars (\$20,000.00), except contracts for professional services.

8.2 Advertisement of Bids for Contracts for Improvements and Services Exceeding Twenty Thousand Dollars. Unless the directors unanimously agree, contracts for any type of public improvement or service, excluding contracts for professional services, shall be advertised for bid if the cost exceeds twenty thousand dollars (\$20,000.00). The advertisement shall be published on two (2) different occasions, at least

seven (7) days apart, in a newspaper having general circulation in the District. The published notice shall state the place, date and time when persons may obtain complete specifications of work to be performed. The right to reject any and all bids is reserved in all bid advertisements.

8.3 Plans and Specifications. Before advertising for bid any contract required to be advertised (where the Directors did not unanimously agree to forego soliciting and attempting to secure at least three bids as set forth in 8.1 above), the Directors shall have detailed plans and specifications prepared and a form of the proposed contract.

8.4 Bid Bond. The Directors may require all bidders to accompany each bid with a bid bond with sufficient surety, or a certified check, cashier's check or bank draft upon some reputable bank payable to the District of at least five percent (5%) of the total amount of the bid. The bond, check or bank draft shall be forfeited as liquidated damages, if the bidder, upon the letting of the contract to him, fails to enter into the contract within thirty (30) days after it is presented to him for that purpose or fails to proceed with the performance of the contract.

8.5 Letting Contract. Any contract required to be let for bid may, unless the Directors unanimously agree to forego soliciting and attempting to secure at least three bids as set forth in 8.1 above, be let to the lowest responsible bidder who shall be determined in the sole discretion of the Directors, qualified and responsible. The Directors may reject all bids submitted if they find that none of them would serve the public interest. Every contract shall be executed by the Chairman of the District, or in his absence or disability another presiding Officer of the District and the Secretary of the District. Any contract for improvements or services shall require that the contractor hold the District and the Directors harmless and indemnify the District and the Directors against any loss, claim or damage of any kind resulting from the contractor's performance of work pursuant to the contract.

8.6 Preference for Wyoming Bidders, Workers and Materials. Contracts for services and improvements may (where the Directors did not unanimously agree to forego soliciting and attempting to secure at least three bids as set forth in 8.1 above) be let to a Wyoming resident making the lowest responsible bid if the Wyoming resident's bid is not more than five percent (5%) higher than that of the lowest responsible nonresident bidder. For purposes of this Rule 8.6, "resident" means: (1) Any person who has been a bona fide resident of Wyoming for one year prior to bidding upon the contract; (2) a

partnership or association, each member of which has been a bona fide resident of Wyoming for one year or more immediately prior to bidding upon the contract; or (3) a corporation which has been organized under the laws of Wyoming and has been in existence in Wyoming for one year or more immediately prior to bidding upon the contract and which has its principal office and place of business in Wyoming. At the Board's discretion, a contract for improvements and services in the District may contain a provision requiring that Wyoming labor be used, except other laborers may be used when Wyoming laborers are not available for the employment from within Wyoming or are not qualified to perform the work involved. Contracts for improvements and services may provide that Wyoming materials and products of equal quality and desirability shall have preference over materials or products produced outside Wyoming. Notwithstanding anything contained herein, the Directors shall not be required to give preference to Wyoming Bidders, Workers, and Materials.

8.7 Performance Bond. The successful bidder for all contracts exceeding twenty thousand dollars (\$20,000.00) may be required to give the District a surety bond for the faithful performance of his contract, or other form of guarantee approved by the District, in a penal sum equal to the amount of his bid. The sureties shall be Wyoming residents who own property in Wyoming amounting in the aggregate to double the amount of the bond upon which they are sureties. Any surety or guaranty company qualified to act as surety or guarantor in the state, upon executing individual bonds, shall be accepted in lieu of the sureties.

8.8 Progress Payments. The Board in its discretion may require that before any progress payment may be made on any contract for improvements exceeding twenty thousand dollars (\$20,000.00), an engineer, architect or other appropriate person retained by the District has furnished an estimate, together with a certificate, that the amount of work estimated to have been done conforms in all material respects with the requirements of the contract.

8.9 Final Payments. Before any contractor or his representative receives a final payment on any contract required to be advertised for bid, the Directors may publish in a newspaper of general circulation in the District, at least ten (10) days prior to the final payment, a notice to the effect that the contractor is entitled to final settlement on the contract and that persons having claims for labor and material furnished the contractor shall present them to the District prior to the date specified for payment.



**RULE 9**  
**MAINTAINING PUBLIC RECORDS**

9.1 Public Records. The District shall maintain a copy of the following documents, if the document exists, provided that the Wyoming Public Records Act and all applicable federal statutes shall control the obligations of disclosure of those documents, namely; adopted minutes of all meeting of the governing board and the governing board's committees and subcommittees, records of meetings of the governing board and the governing board's committees and sub-committees, audits, financial statements, election results, budgets, bylaws, rate schedules, policies and employment contract with all administrators.

9.2 Availability for Public Review. The District shall maintain the records described in 9.1 above for public review at their business office **if** the business office is open to the public for at least twenty (20) business hours each week.

9.3 County Clerk Filing. Alternatively, the District may file copies of the records described in 9.1 above with the Sublette County Clerk. The documents may be in an electronic format unless otherwise specified by the County Clerk. The County Clerk may specify the format for the records to be filed.

9.4 Date of County Clerk Filing. By September 30th of each year, the District shall file with the County Clerk the place where the documents required under 9.1 may be found.

**RULE 10**  
**PUBLIC MEETINGS**

10.1 Location. In addition to the requirements of W.S. § 16-4-101 through 16-4-408, all public meetings shall be held in a location accessible to the public or made accessible to the public for purposes of the meeting.

10.2 Notice. Notice of any meeting shall be made in compliance with W.S. § 16-4-404 or as otherwise required by law.

10.3 Time: Due to the state requirements for budgeting and fiscal reporting, and seasonal nature of the majority of the residents, the Annual Property Owners meeting will be held in July of each year.

**RULE 11**  
**AMENDMENTS OF RULES AND REGULATIONS**

11.1 Amendments. The Directors may amend these Rules and Regulations upon the affirmative vote of two-thirds (2/3) of the Directors; provided, however, that no such amendment, other than amendments having to do with interpretive rules or statements of general policy, shall be effective if two-thirds (2/3) vs. majority of the property owners object to such amendment in accordance with the procedure set forth in Rule 11.2. No amendment shall be effective if contrary to law.

11.2 Procedure for Adopting Amendments. Prior to the Director's adoption of an amendment to the Rules and Regulations, other than interpretive rules or statements of general policy, the Directors shall give at least forty-five (45) days notice in the manner provided by, and containing the information required under the Wyoming Administrative Procedures Act. Among other things, the notice shall:

- (a) Include the time when, the place where and the way interested persons may present their view on the intended amendment;
- (b) Afford all interested persons the opportunity to submit their arguments in writing;
- (c) In the case of substantive rules, give an opportunity for an oral hearing if requested by twenty-five (25) or more persons.

11.3 Emergency Rules. If the District finds that an emergency requires it to proceed without notice or opportunity for hearing required under Wyoming Statute, it may adopt emergency rules which shall be effective when adopted. The rules so adopted shall be effective for no longer than one hundred twenty (120) days but the adoption of an identical rule under Wyoming Statute or of an emergency rule under this paragraph

is not precluded. In no case shall identical or substantially similar emergency rules be effective for a total period of more than two hundred forty (240) days.

## RULE 12

### NEW CONSTRUCTION AND ALTERNATIVE PROPERTY ACCESS

#### 12.1 New Construction Application and Requirements

Before commencing any new construction required by law to be permitted by Sublette County, a landowner must complete, sign and submit a New Construction Application and Building Checklist and pay the required Road Damage and Driveway Access fee to the District. This Application/Checklist and Road Damage/Driveway Access Fee schedule can be found on the Hoback Ranches website [www.hobackranches.com](http://www.hobackranches.com). Upon receipt of New Construction Application/Building Checklist and payment of fee, the Board shall review checklist, and if there is no conflict with Hoback Ranches Protective Covenants, will send the Sublette County Letter of Approval to Sublette County Planning and Zoning within 30 days. If the plans present conflict with the Hoback Ranches Protective Covenants, the Board shall promptly inform and consult with the landowner on the non-compliant issues so that they may be resolved and approved.

#### 12.2 Alternative Property Access

In the event that a landowner has no legal direct access from an existing District Road to their property (landlocked) other than use of the property boundary easement as provided by the Hoback Ranches Protective Covenants, the landowner may complete, sign and submit the New Construction Application/Building Checklist clearly marking Item 20B, that the easement for a new road/driveway must be used for access to the property. This application can be found on the Hoback Ranches website [www.hobackranches.com](http://www.hobackranches.com). In addition to this Application, the landowner shall provide the District with proof of a certified letter sent, with a copy of their Application, to each landowner whose property would border the proposed road/driveway. This letter shall be addressed to each landowner last known address as provided by the Sublette County Assessor and

- a) notify landowner of intent to construct a road involving their property,

- b) notify landowner of date to conduct a survey of specific property boundary lines by a certified engineering firm hired by the applicant landowner. This date must be established no sooner than 30 days after the letter is postmarked, and
- c) provide the address, listed below, where affected landowners can submit comments within 30 days from the date of the letter:  
Hoback Ranches Service and Improvement District  
P.O. Box 33  
Bondurant, WY 82922  
or email: [HRSID@yahoo.com](mailto:HRSID@yahoo.com)

### 12.3 Alternative Property Access Approval Process

Upon completion of the property boundaries survey, the applicant landowner shall submit it to the Board. After consideration of the completed application, survey, and all submitted comments, the Board shall provide written approval, subject to any conditions, to the applicant landowner within 30 days. **No disturbance of any property to which a landowner has no ownership rights shall occur until the Board provides such approval.**

The Board may impose reasonable conditions on the construction of the road/driveway to comply with, but not limited to, district road standards, the Hoback Ranches Protective Covenants, and affected property owner's concerns. The applicant landowner shall consult with the Board on the construction of the intersection of the driveway/road and a maintained HRSID road. The applicant landowner shall be responsible for all costs of construction, including any improvements required by the District at the intersection of a maintained HRSID road, and for any damages to the property being crossed.

### 12.4 Private Road Maintenance and Access

All existing Non-District maintained roads prior to June 2018 and /or new driveways or roads constructed under Rule 12.2 and 12.3 shall be considered private roads. The District is not responsible for maintenance of any road constructed under these sections and waives all claims for damages arising out of the application to construct, construction, maintenance and repair of roads constructed on property line easements.

No landowner shall be prevented reasonable access to any part of his property because of any road constructed under this section nor shall any landowner restrict access to the full easement. Property owners along private roads are strongly encouraged to develop a maintenance agreement based on use of road for access.

12.5 Failure to comply.

No landowner shall receive Board approval for a construction permit if a road or driveway was constructed on the property boundary easement of other landowners until compliance can be shown with this process. The landowner shall be liable for all claims of damages arising out of the failure to comply.

IN WITNESS WHEREOF, the Directors of the Hoback Ranches Improvement and Service District have adopted these Amended Rules and Regulations following their implementation in accordance with Wyoming Statute § 16-3-103 of the Wyoming Administrative Procedures Act, effective the 16 day of June 2018.

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William Conley, Director

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Bruce Bartley Director

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Dave Nemetz, Director