

Rules and Regulations
THE BOARD OF COUNTY COMMISSIONERS
Natrona County, Wyoming

I certify that the attached is a true and correct copy of the new rules governing Natrona County Support for Improvement and Service Districts adopted in accordance with the Wyoming Administrative Procedures Act, Wyo. Stat. Ann. §16-3-101 et seq., and Wyo. Stat. Ann. § 18-3-504(a)(viii), W.S. 1977.

Prior to adoption, these rules were made available for public inspection on . The rules were adopted November 17, 2015 following a public hearing.

The attached rules are effective immediately upon filing with the County Clerk.

Signed this 17th day of November, 2015.

THE BOARD OF COUNTY COMMISSIONERS
NATRONA COUNTY, WYOMING



Forrest Chadwick, Chairman



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BOARD OF COUNTY COMMISSIONERS

RULES GOVERNING COUNTY SUPPORT FOR
IMPROVEMENT AND SERVICE DISTRICTS

Section 1. Authority

Authority for these rules is granted to the BOCC through Wyo. Stat. Ann. §18-3-504. These rules and regulations are adopted pursuant to and in accordance with Wyo. Stat. Ann §16-3-103 and may be repealed at any time pursuant to the same statute.

Section 2. Short Title

These rules and regulations shall be known, cited, and referred to as the “Natrona County Improvement and Service District Support Program.”

Section 3. Purpose and Definitions

The primary purpose of this program is to provide financial support to improve public roads within Natrona County. These rules and regulations set forth the procedures under which the Board of County Commissioners may give assistance to Improvement and Service Districts for the improvement and maintenance of district public roads.

As used in these regulations:

- (a) “Private Road” means a roadway where no public right of access or use exists;
- (b) “Public Road” means a roadway, either on publicly dedicated or private property, where a public right of access or use exists due to a public dedication;
- (c) “County Road” means a roadway which has been declared a county road by a resolution of the Board of County Commissioners and is maintained by the County Road and Bridge Department.
- (d) “Service District” means an Improvement and Service District formed in compliance with Wyo. Stat. Ann. § 18-12-101-140;
- (e) “Support” means assistance from Natrona County in any of the following forms:
 - a. Financial support in the form of legal cost for the formation or expansion of any service district.
 - b. Financial support in the form of limited funds to service districts to be used as matching funds for grants or matching funds for any district road project.
- (f) “Project” means any activity involving planning, construction or maintenance of public roads.

(g) "BOCC" means the Board of County Commissioners for Natrona County, Wyoming.

Section 4. General Provisions

The Board of County Commissioners may provide assistance to service districts to improve public roads in Natrona County.

No support will be provided to any project which is not part of a service district.

The maximum support allowed under this program in any fiscal year is as follows:

- a. Up to Five thousand dollars (\$5,000) for the legal cost associated with the formation or enlargement of any service district;
- b. Up to Twenty five thousand dollars (\$25,000) to be used as 50/50 matching funds for any grant or Twenty five thousand dollars (\$25,000) in matching funding for any district road project.

A district may apply for funds that it does not intend to use in the fiscal year in which the application is made and may bank the funds for a future project.

FOR EXAMPLE: If a service district would like to undertake a project with a cost of \$200,000, it may apply for the \$25,000 match for four (4) years and bank the funds with the BOCC until the total matching funds equal \$100,000. The district would still be required to match any funds committed by the BOCC each year.

The banking of funds for one year does not commit the BOCC to funding the project the next year and a new application for the funding must be submitted each year.

Section 5. Administration

The service district support program shall be administered through the office of the BOCC and approval of any support shall be at the sole discretion of the BOCC. There is no appeal from its decision.

The BOCC may budget funds for this program when available. The BOCC will set the budget, if any, for this program on an annual basis, by adopting these rules the BOCC in no way commits to any future funding amounts for this program.

Section 6. Applications for Support

- (a) An eligible applicant is any Natrona County service district demonstrating a need for public road maintenance or improvement.

- (b) All applicants for public road support under these rules shall meet with the Natrona County Road and Bridge Superintendent prior to submitting an application for support.
- (c) All applicants for support under these rules shall submit two (2) copies of the application to the BOCC. Such applications are to be reasonable in form and shall include the following information in detail:
- (i) A full description of the proposed project to be constructed or repaired, including but not limited to, a detailed budget and construction schedule.
 - (ii) Any information required by the Natrona County Road and Bridge Superintendent, including but not limited to an engineer's report of the feasibility of the project with an itemized cost estimate.
 - (iii) District information concerning the governing board, geographical area served, date of formation, resolution of district formation, population, whether the area is platted and copy of covenants (if applicable).
 - (iv) A financial statement of the applicant including assessed valuation, indebtedness, mill levy, income statement and balance sheet, and district dues.
 - (v) A list and description of other sources from which the project is to be funded.

Section 7. Evaluation Process

- (a) All applications for support shall be referred to the appropriate departments or agencies of the County for review and evaluation.
- (b) Each department or agency will forward its comments and recommendations in writing to the BOCC within 30 days of receipt.
- (c) Within 60 days of the submission of a completed application, the applicant shall be invited to attend a Work Session of the BOCC to orally present its application and/or any updated information.
- (d) The BOCC will make its decision at a public meeting if the BOCC determines that the application is complete and requires no additional information. If additional information is requested, a decision date will be scheduled at the next convenient public meeting.

Section 8. Evaluation Criteria

The BOCC and any department or agency responsible for reviewing applications for project support shall utilize the following criteria:

- (a) available funding;
- (b) number of citizens affected by the project;
- (c) funding of service district;
- (e) likelihood of successful completion of the project;

- (g) impact of the project;
- (f) impacts of project compared with other projects which are requesting support;
- (g) other factors related to the health, safety and welfare of the citizens of Natrona County.

Section 9. Governmental Immunity

The County does not waive governmental immunity by participating in this support program and specifically retains immunity and all defenses available to it as a sovereign pursuant to Wyo. Stat. Ann. §1-39-104(a) and all other state law.

Furthermore, Natrona County is not responsible for any damages caused or incurred to any landowner, utility, or any other person as a result of the work performed as part of this program, whether performed by Natrona County employees or contractors.

Section 10. Reapplication

Any request for support which is denied by the BOCC may not be resubmitted for a period of one year.