

RESOLUTION

A RESOLUTION OF THE MELODY RANCH IMPROVEMENT AND SERVICE DISTRICT RELATED TO WATER SHUT OFF PROCEDURES FOR DELINQUENT ACCOUNTS

WHEREAS the Melody Ranch Improvement and Service District (the “Melody Ranch ISD”), is an improvement and service district organized pursuant to Wyo. Stat. §18-12-101 *et. seq.* for the purpose of providing water, sewer, and other local services to residents of the Melody Ranch Subdivision in Teton County, Wyoming;

WHEREAS the Melody Ranch ISD owns, operates, and is responsible for maintaining the Melody Ranch water system and for establishing reasonable charges for water use;

WHEREAS the Melody Ranch ISD is governed by state statute, its Bylaws, and by the Rules and Regulations of the Melody Ranch ISD (the “Rules and Regulations”);

WHEREAS Rule 2.6 of the Rules and Regulations states that “[d]elinquency in the payment of charges constitutes grounds for the Directors to discontinue or shut off service after notice thereof by publication and by certified first class mail, postage prepaid, addressed to the last known owner at his last known address according to the records of the district and the real property assessment roll in Teton County”;

WHEREAS the Board of Directors of the Melody Ranch ISD has promulgated Regulations of Water and Sewer Use for the Melody Ranch ISD (the “Regulations of Water and Sewer Use”);

WHEREAS Rule 4.10 of the Regulations of Water and Sewer Use states that no water or sewer service connection line connected with the District mains shall be disconnected therefrom without the authorization of the District, who shall specify as to how the line shall be disconnected;

WHEREAS Rule 8.1 of the Regulations of Water and Sewer Use states that service to any user may be disconnected for nonpayment of water and/or sewer bills;

WHEREAS the Board of Directors of the Melody Ranch ISD desires to approve this Resolution to affirm and formalize the process by which notification and water shut off occurs where water and/or sewer bills remain delinquent, in accordance with the Rules and Regulations and the Regulations of Water and Sewer Use.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Melody Ranch ISD, that the following process shall be used:

1. Where a water usage bill, or any portion thereof, remains unpaid for a period of more than thirty (30) days from the payment due date, the Melody Ranch ISD will send a “pink slip” with the current invoice, intended as a reminder that an Owner has missed or is late for a payment, or has submitted an incomplete payment.

2. Where a water usage bill, or any portion thereof, remains unpaid for a period of more than sixty (60) days from the original payment due date, a notice of past due water bill, including the amount owed and the fact that the account is delinquent will be mailed to the property owner, addressed to the owner's last known address according to the record of the Melody Ranch ISD and the real property assessment roll in Teton County.

3. Where a water usage bill, or any portion thereof, remains unpaid for a period of ninety (90) days from the original payment due date, the Melody Ranch ISD will send a notice to the owner, addressed to the owner's last known address according to the record of the Melody Ranch ISD and the real property assessment roll in Teton County, which notice shall advise that:

- (a) The amount of past due balance;
- (b) The fact that interest on the delinquent account is accruing at a rate of 18% per annum;
- (c) As set forth in Rule 2.5 of the Rules and Regulations, all unpaid charges shall constitute a perpetual lien on the property until paid, and may be foreclosed as allowed under Wyoming law;
- (d) In the event of foreclosure, a delinquent property owner is also liable for costs of collection, including interest and reasonable attorney's fees;
- (e) Delinquency in payment constitutes grounds for service shut off;
- (f) In the event water is shut off, the owner will be responsible for the costs involved with shut off and reconnection, as well as the cost of required advertising; and
- (g) A notice that payment in full or arrangements for payments must be made within ten (10) days of the date of the letter.

4. Where a water usage bill, or any portion thereof, remains unpaid for a period of one hundred twenty (120) days from the original payment due date, the Melody Ranch ISD will send a "Final Notice" to the owner, via Certified Mail, addressed to the owner's last known address according to the record of the Melody Ranch ISD and the real property assessment roll in Teton County. This Final Notice shall be contemporaneously posted to the door of the owner's property and sent to the local newspaper with a request for publication and the appropriate fees. The Final Notice shall advise that:

- (a) It is a "Final Notice" that the account is delinquent, and that water service will be shut off on the date set forth in the "Final Notice" unless payment is immediately made;
- (b) All unpaid charges shall constitute a perpetual lien on the property until paid, and may be foreclosed as allowed under Wyoming law; and
- (c) In the event of foreclosure, a delinquent property owner is also liable for costs of collection, including interest and reasonable attorney's fees.

5. The Final Notice shall be considered the authorization required under Rule 4.10 of the Regulations of Water and Sewer Use, and no further Board authorization is needed prior to water shut off.

6. Following mailing of the Final Notice, the delinquent owner will be assessed the fees for publication.

7. On, or as soon as practicable after, the shut off date listed in the Final Notice, the District may shut off the water to the property. No further notice related to water shut off is required to the owner, and no vote of the Board is required.

8. Prior to water service to a property being resumed, the following shall occur:

- (a) All unpaid charges resulting from the water shut off to a property shall be paid to the Melody Ranch ISD including but not limited to: past due balances and interest; costs of collection (including reasonable attorney's fees); all fees associated with the shut off of water service; and publication fees; and
- (b) All fees associated with re-connection of water service, including fees resulting from any inspection deemed necessary by the Melody Ranch ISD, shall be pre-paid.

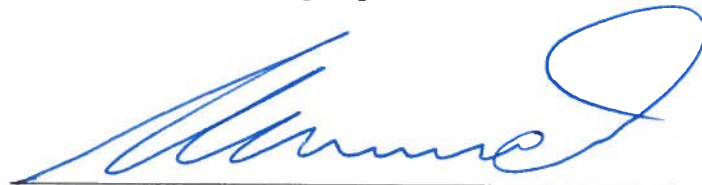
9. Minor deviations from this procedure do not preclude the Board of Directors from initiating a shut off of water where an owner has failed to pay a water or sewer bill so long as the Melody Ranch ISD Rules and Regulations and the Regulations of Water and Sewer Use have been complied with, and the required notices set forth in the Rules and Regulations have been provided.

10. In the event of extenuating circumstances where the Board determines that water shut off is not appropriate despite a delinquent account, the Board may vote to allow water service to continue despite a delinquency.

11. This Resolution was passed and adopted by the Board of Directors of the Melody Ranch ISD and is effective this 20th day of February, 2019.

DATED this 11th day of April, 2019

MELODY RANCH IMPROVEMENT AND SERVICE
DISTRICT, a Wyoming Improvement and Service District

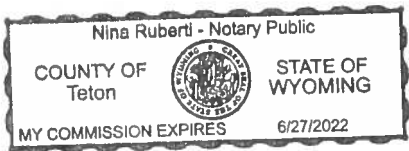


Bob Hammond, President

STATE OF WYOMING)
)
COUNTY OF TETON)

The foregoing Resolution was acknowledged before me this 11 day of April, 2019 by Bob Hammond, as president of the Melody Ranch Improvement and Service District, a Wyoming improvement and service district.

WITNESS my hand and official seal.



Nina Ruberti
Notary Public
My Commission Expires: 5/27/2022