

KEELER COMMUNITY SERVICE DISTRICT BY-LAWS

ARTICLE I

NAME: The name of this organization shall be the Keeler Community Service District.

ARTICLE II

PURPOSE: The purpose of the Keeler Community Service District is to supply the inhabitants of the District with water for domestic use, irrigation, sanitation, industrial use, fire protection and recreation pursuant to Section 61600 of the Government code.

ARTICLE III

DUTIES AND OFFICERS:

Section 1. Board of Directors: The Board of Directors shall consist of five (5) members. Chairperson will *serve* on a rotational basis *every 3 months* amongst the Board Members. To be eligible as a member of the Board, a person must be a registered voter of Keeler, Inyo County, CA. Board members must attend at least *nine* monthly meetings each year, and must not have three consecutive absences from attending regular Board meetings. *A discussion or action may be taken by the Board to determine status if a Board member misses three meetings in a row or more than 3 meetings in one year. All Board members must fulfill the legal requirements for ethics education and conflict of interest filing within 6 months of taking office.*

Section 2. The Duties of the Board are:

- a. Conduct, manage and direct the affairs of the Keeler Community Service District.
- b. Make rules, regulations and judgments necessary for the operation of the Keeler Community Service District.
- c. *Support fair process and merit based decision making to create an environment of good governance and service to the public.*

ARTICLE IV

MEETINGS:

A. REGULAR MEEINGS:

Regular Board of Director's Meetings are held the *third* Tuesday of every month at 6:00 pm at the Keeler Firehouse or as the Board may elect. A quorum of three (3) Board members must be present at the Board meeting to transact business. Agendas are posted on the Keeler Firehouse Bulletin Board 72 hours prior to regular meetings. The Board cannot take action on items not on the agenda, except in emergency situations. Therefore, the Secretary should be notified, preferably in writing, no later than the *second* Tuesday of the month before 5 PM regarding an item a Board member wishes to have included on *that* month's agenda. Items from the public must be submitted in writing before the above deadline *and have the*

approval of a KCSD Board member to be included on that month's agenda. Items received after the deadline will be included on the next month's agenda

B. SPECIAL MEETINGS:

Called by a vote of the Board members when necessary; agenda is posted 24 hours in advance of meeting. May be open or closed session. The public will be provided an opportunity to address the Board on any item described in the agenda before or during consideration of that item. Agenda shall describe the public's right to so comment. The Board can only take action on agenda items; no other business shall be considered at a special meeting.

C. EMERGENCY MEETINGS:

Called when a majority of the Board determines that an emergency situation exists, such as a crippling disaster or activity that severely impairs public health and/or safety. Only notice required is one hour before the meeting. Any media outlets which have requested that they receive notice of emergency meetings (pursuant to Section 54956 of the Brown Act) must be given telephonic notice. One hour before the meeting a public notice of the meeting will be posted at the *Firehouse* bulletin board stating the particulars of the meeting and emergency situation. May not be held in closed session.

ARTICLE V

ESTABLISHING NEW SERVICE:

A. NEW CUSTOMER WHERE THERE IS EXISTING SERVICE:

New customer must fill out an application form. Residential customers pay first month's water bill along with a Service/Account Activation Fee in advance before service will be initiated. Residential rate will be the flat rate posted in the current KCSD Rate Chart.

*Light industrial customers will be charged a security deposit at the rate posted in the current Rate Chart, to be paid in advance of water service connection. This deposit is refunded as a credit towards any unpaid water bill after one year of continuous service. Refunded deposits are only available to accounts that are current and in good standing. Light Industrial rate is metered, and is billed at the Light Industrial rate posted on the current KCSD Rate Chart.

B. NEW HOOKUP WHERE SERVICE DOES NOT ALREADY EXIST:

Connection to Existing KCSD Main Water Lines

To be connected to existing KCSD main water distribution lines, a hookup fee as posted in the current KCSD Rate Chart must be paid in advance, and the customer must submit a completed application with payment for the new connection. Board action is required to approve all new connections and completed applications. They will be reviewed and acted upon at the next regular Board meeting following submission of the completed application and payment. KCSD will schedule the installation of the water connection to the customer's property boundary.

Water Main Line Extension

A. Contact a Board member or Secretary to get item on agenda for next regular Board of Director's meeting to make application. Must provide proof of financial responsibility for payment of mainline extension; fill out application form.

- B. After application is approved by board of Directors, customer must obtain permits from county Health and Building Departments.
- C. Customer must use licensed contractor to do work, and have KCSD as well as appropriate county inspections and approvals before completion. A KCSD Board member *or designated maintenance personnel* must be present while work is being done.
- D. Must use material of equal or better quality as rest of system, according to system specifications.
- E. Customer must pay for mainline extension. It is then dedicated to District by customer as part of town water system.

ARTICLE VI

A. SERVICE DISCONTINUED AT CUSTOMER'S REQUEST:

A Customer will not be charged for water service during the time it is *discontinued*. A re-activation fee will be required to turn service back on. (See Current Rate Chart) It will be added to next month's bill after reactivation. Notify the *KCSD Secretary* in writing to have a service *discontinued*. *Intermittent use of water by a customer in discontinued status will require the charge of one month's usage in the month following the occasion of use. Such usage must be reported to the KCSD Secretary at the time of the occurrence of said usage.*

B. NON-PAYMENT OF BILL:

Any water customer who is 120 days or more in arrears as of June 1st each year will receive a registered letter notifying them of the situation. A public meeting will be scheduled, at which time, a rate payer may object, *and present possible payment plans*. If the bill has still not been paid *by the next billing date* the District notifies Inyo County Auditor's Office and the amount delinquent, plus an administration fee of no more than \$50, will be added onto the customer's property tax bill. *Further months bills not paid will be added to the customer's tax bill. The District will be reimbursed by the County for the amount the customer is in arrears annually.*

ARTICLE VII

A. SECRETARY/BOOKKEEPER:

A Secretary/Bookkeeper will be employed by majority vote of the Board of Directors, after position is duly published in local newspaper for three weeks, and notice posted of vacancy on the Keeler Community bulletin board. *The Secretary/Bookkeeper works at the direction of the current chairperson and no other Board member may countermand or interfere with such direction without first contacting the current chairperson.* Duties include, but are not limited to, organizing and distributing meeting agendas, recording and transcribing minutes at meetings, typing and posting minutes and notices in a timely manner, issuing monthly billing to customers, collecting and recording customer payments, paying bills, maintaining petty cash account in the amount of \$300.00, presenting financial, customer and petty cash reports at regular Board meetings, maintaining supplies, receiving District correspondence and copying and distributing

it to Board members prior to meetings, typing correspondence, maintaining District files, assisting Board in preparing annual budget, and generally maintaining District records. Payment and contract are re-negotiated annually.

B. CERTIFIED WATER OPERATOR:

A Certified Water Operator (D1/T1) will be employed *under contract* by majority vote of the Board of Directors. When this position becomes vacant, it will be published in the local newspaper for three weeks and posted on the Keeler Firehouse bulletin board. Payment and contract are negotiated annually. Qualifications required include California certification as a Water Treatment Operator and Water Distribution Operator at Grade levels specified by enforcement agencies and the Board, or the ability to obtain such certifications within a reasonable time period. The Board will pay certification and certification renewal costs during employment. Duties include collecting water samples as specified by enforcement agencies and the Board, analyzing data results, recording monthly water usage, hypo-chlorinator system O & M, distribution system O & M, supervising employees for O & M procedures, documenting procedures, providing financial data to the Secretary/Bookkeeper and the Board, presenting reports at Board of Director meetings, aiding the Board to prepare its annual Consumer Confidence Report (CCR), submitting all reports required by enforcement agencies, and any other duties as required.

ARTICLE VIII

INDEPENDENT CONTRACTORS:

Maintenance personnel for water system may be hired on an Independent Contractor basis if essential for regular system maintenance or special projects at a rate not to exceed \$15.00 per hour, unless otherwise specified by Board action. Any Independent contractor must execute a valid contract and submit approved invoices for payment. Without exception, no person may enter into a contract or employment agreement with KCSD, or be compensated by KCSD for any services, either actual or perceived, without full Board review and action prior to rendering such service.

ARTICLE IX

WATER USEAGE:

A. No customer or individual shall waste water.

B. If a break or leak occurs on the customer's property:

1. The Board will notify user by phone or the fastest direct means possible.
2. If it is a large volume and customer is not available to turn off water, Board will turn off water service.
3. Customer will be allowed reasonable time to make repairs. If not repaired in allotted time, KCSD can, at its discretion, make repairs and bill the customer. Customer will be notified by certified mail in advance of such action by KCSD.

ARTICLE X

EMERGENCY OPERATIONS:

A. System Failure:

All customers will be contacted by the fastest direct means possible immediately by Board members and/or Secretary.

1. Customers will be requested to use water in home for emergency use only until system is repaired.
2. Board members will contact appropriate repair contractor and/or agencies to immediately repair system.
3. If necessary, a water tanker will be obtained from the county or other source on an emergency basis to supply a standby water supply for domestic use.

B. Catastrophic Failure Of System:

1. All customers will be contacted by the fastest direct means possible immediately by Board members and/or Secretary.
2. Water will be trucked in for domestic use.
3. Possible utilization of old well for emergency fire protection and uses other than drinking water.
4. Emergency repair measures *may* be taken by Board Members.

C. Major Leaks:

1. The first available Director will inspect and effect repairs as soon as possible.
2. The Secretary is to act if no Director can be contacted.

These Bylaws may be amended by Board action from time to time, as appropriate to conduct District business.

SECRETARY: _____
Keeler Community Service District

Director, John Dukes

Director: Sherry Cosgrove

Director: Bruce Spry

Director: Samuel M. Rosan

Adopted and made official on this 18th day of August 2016 by vote of the KCSD Board of Directors during open and public meeting and duly recorded in the minutes of said public meeting.

KCSD Point of Use System Bylaws

Keeler's well water tests consistently above the mandated MCL for arsenic (10 ppb.) and is increasing over time. Thus, Keeler's well water is not potable without treatment. In order to provide potable water to each domestic and commercial connection, KCSD has chosen to utilize a Point of Use filtration system. KCSD has the authority to require customers to accept the Point of Use units, and may take action including denial of water service if refused.

Each customer must pay a \$400 fee to cover the cost of installation, and choose a location where KCSD maintenance personnel shall install the POU equipment package, and where it will be protected from freeze or accidental damage. The POU equipment remains the property of KCSD. Installation of a KCSD POU equipment package on private property shall include the implied consent to reasonable and clean access to the unit for the purposes of maintenance, repair and sample and data collection. *Property owners will be responsible for informing tenants of the non-compliant status of Keeler's water and the availability of Point of Use treated water.*

The District will employ a California licensed Distributor and Treatment Operator responsible for management of KCSD's Point of Use system. KCSD will insure the establishment and maintenance of a record system to identify POU units in service, maintenance and repair data, volume usage, sample schedule and test results. The sample schedule shall be quarterly for well arsenic levels, and monthly for 1/12 of all active units, so that all active units are sampled and tested annually. All active units will be considered to need new filters after 1,000 gallons usage at a rate of 3/4 gal./per minute, or the passage of one year's time. KCSD's Point of Use system shall operate in accordance with all California regulations.

KEELER COMMUNITY SERVICE DISTRICT

RATE CHART

New Hook Up Fee	\$750.00	To be connected to existing water lines
Point of Use	\$400.00	To be installed on all new services
Standard Residential Rate	\$30.00	Monthly Charge
Light Industrial Rate	\$85.00	Monthly Charge
Intermittent/Occasional Use	\$30.00	Charge for month in which use occurs
Outside Sales-Truck	\$20.00	Charge /truck (4,000 gal) Must have back-flow check valve
Re-activation charge from discontinued status	\$30.00	Added to first bill issued