Revised 8/9/2021

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 resident or stakeholder in Keeler and registered voter in Inyo County, CA. Board members must attend at least *eight* monthly meetings each year, and must not have *more than* 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 four meetings in a row or more than 4 meetings in one year.* Use of telephone or zoom electronic resources to allow for Board member meeting participation will be allowed as the BOD agrees is needed. .*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:

1. Conduct, manage and direct the affairs of the Keeler Community Service District.
2. 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:**

# REGULAR MEETINGS:

Regular Board of Director’s Meetings are held the *third* Tuesday of every month at 5:30 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* *Teusday* 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:**

### 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

1. 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.
2. After application is approved by board of Directors, customer must obtain permits from county Health and Building Departments.
3. 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.
4. Must use material of equal or better quality as rest of system, according to system specifications.
5. Customer must pay for mainline extension. It is then dedicated to District by customer as part of town water system.

**ARTICLE VI**

A. SERVICE STATUS AS *NOT IN USE*  AT CUSTOMER”S REQUEST:

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A Customers not currently residing in developed property may notify the KCSD Secretary that they wish to be placed on *NOT IN USE* status to be billed $21 monthly as per the KCSD rate chart. Customers must notify the KCSD Secretary when they reside on said property for which month they will be billed at the $35 monthly rate.

**B. NON-PAYMENT OF BILL:**

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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 $400.00 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. Emergency repairs may be made with a predetermined cost cap.

#### 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.

SECTRETARY:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Keeler Community Service District

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Director: Noah Brecker

***Adopted and made official on this 17th day of August 2021 by vote of the KCSD Board of Directors***

***during open and public meeting and duly recorded in the minutes of said meeting.***

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