

# BYLAWS OF THE SHETEK AREA WATER AND SEWER COMMISSION

## ARTICLE 1 NAME

SECTION 1 Shetek Area Water and Sewer Commission

SECTION 2 Purpose – Per Murray County Resolution Number 98-03-03-1 and Minnesota Statutes, Chapter 116a.

## ARTICLE 2 MEMBERSHIP

SECTION 1 Per Resolution Number 98-03-03-1, The Murray County Board of Commissioners appoint:

- A. Five homestead members and two seasonal, non-homestead members to serve four-year terms.
- B. Members terms shall expire on the 31<sup>st</sup> day of January or until successors are appointed by the Murray County Board of Commissioners.

SECTION 2 Each member including the chairman shall be entitled to one vote on any matter voted upon by the membership. Voting by proxy is not permitted. All votes on motions other than resolutions unless specified prior to the vote shall be by voice vote. If a majority cannot be determined by a voice vote, the Chairman shall ask for a vote by a show of hands or a secret ballot.

SECTION 3 The Commission may call for the removal of any member for non-performance of duty or misconduct in office. If a member has three (3) consecutive unexcused absences in any one year, it shall be recommended to the County Board to replace that member. The County Board shall appoint a replacement for the unexpired term, as if the member had resigned.

SECTION 4 Board members shall receive per diem and mileage reimbursement for attending their regular monthly meeting. Per diem and mileage reimbursement shall be based upon current rates and policies as established by the County Board. For seasonal, non-homestead members, mileage reimbursement shall be paid from their lake home within the Shetek Area Water & Sewer District. Board members participating in the meeting via interactive television will not be paid mileage reimbursement.

SECTION 5 Elections of Officers shall be held in January or the first meeting of the new year after the appointments have been made by the Murray County Board of Commissioners.

SECTION 6 Only current members of the Shetek Area Water and Sewer Commission may hold office.

SECTION 7 The Shetek Area Water and Sewer Commission shall review and approve annually the list of recurring invoices that will be set up for automatic payment by the Murray County Auditor's Office. A list of all claims paid will be distributed to the Board and an audit list be signed by the Board Chair.

### ARTICLE 3 MEETINGS

SECTION 1 Quorum- Unless otherwise provided by law or these bylaws, a quorum for a meeting is at least fifty percent plus one of the Commission. A quorum must be established for action to be taken. Except when a larger number is required by law or these bylaws, once a quorum is established, action may be taken by a majority of the Board members present at the meeting.

SECTION 2 Notice of Meetings

- A. Each member shall be notified by mail or by electronic means of regular meetings at least five (5) days prior to such meeting.
- B. Notice of regular meetings, including the date, time, and location, shall be posted at the Murray County Government Center at least five (5) days prior to such meeting.
- C. Notice of meeting cancellations will be posted a minimum of five (5) days prior to the regular meeting date. Postponements due to weather would be noticed on website and on local radio stations.
- D. Meetings shall comply with the Minnesota open Meeting law, and shall be open to the public. Anyone who is interested or concerned in the agenda may attend.

SECTION 3 Meeting Participation via interactive television, per Minnesota Statute 13D.02.

- A. A Board Member may participate in a Shetek Area Water and Sewer Commission meeting by interactive television if all requirements of Minnesota Statute 13D.02 are met, and so long as:
  - 1. Request permission from the Chairman a minimum of 24 hours in advance of the meeting, providing good cause why they cannot attend in person;
  - 2. May only participate by interactive television a maximum of three times in a calendar year;
- B. No more than two Board Members may participate by interactive television during any meeting of the Board;
- C. A quorum is physically present at the regular meeting location of the body;

- D. The Chairman may grant permission for a Board Member to participate by interactive television if there is good cause why the Board Member cannot attend in person and the request is received a minimum of 24 hours in advance;
- E. The Chairman may deny a Board Member's request to participate by interactive television if there is just cause due to system abuse, lack of participation and or focus during previous interactive television sessions, or other offenses;
- F. Participation in a meeting by interactive television is considered present at the meeting for purposes of participating in all proceedings.

SECTION 4 Anyone wishing to be heard concerning an issue on the approved agenda, must be recognized by the Chairman first.

SECTION 5 Only one person may speak at a time so the meeting may remain orderly.

SECTION 6 The Chairman shall eject anyone from a meeting if deemed necessary to keep the meeting orderly.

#### ARTICLE 4 DUTIES

SECTION 1 Chairman - It shall be the duty of the chairman to attend and preside over the meetings of the Shetek Area Water and Sewer Commission, enforce the bylaws of the Commission, and shall be a member of all committees and shall exercise careful supervision over the affairs of the Commission.

SECTION 2 Vice-Chairman – It shall be the duty of the Vice-Chairman to perform the duties of the Chairman in his/her absence.

SECTION 3 Secretary – It shall be the duties of the Secretary to keep a true and accurate record of all proceedings.

SECTION 4 Members – All Members shall make every attempt to attend all meetings, as to help with matters presented by the Commission.

SECTION 5 For any issues not listed herein, or already preempted by state law, Robert's Rules of Order shall be used for meeting procedures.

#### ARTICLE 5 INDEMNIFICATION

SECTION 1 To the fullest extent permitted by law, the Commission shall indemnify and hold harmless all officers, Board members, employees, and agents of the Commission for all acts performed by them in any good faith attempt to fulfill their duties to the Commission.

## ARTICLE 6 BYLAWS

SECTION 1 These Bylaws may be amended at any regularly scheduled meeting by a majority of the Shetek Area Water and Sewer Commission.