

Kingston Water District By-Laws

Adopted: 12/2/08

ARTICLE 1: ORGANIZATION.

The governing body of the Kingston Water District shall be the Board of Water Commissioners. This Board shall consist of five members who shall be elected for three-year staggered terms at the annual meeting. Other officers of the District shall consist of a moderator, a clerk, a treasurer. The moderator, clerk and treasurer shall be elected for three year terms.

If a tax is established by the voters, then the District shall elect three tax assessors for three year staggered terms and a tax collector for a one year term

Elections shall be conducted at the annual meeting, and all officers shall hold their office until their successors shall have been elected and duly qualified. The Board of Water Commissioners, by a majority vote, may fill by appointment any vacancy on the Board or other officers occurring between meetings on a temporary basis until the next District meeting.

ARTICLE 2: ANNUAL AND SPECIAL MEETINGS OF THE DISTRICT.

The Annual Meeting shall be held on the first Tuesday of December of each year. Special meetings shall be called by the Clerk, upon the vote of a majority of the Water Commissioners, or upon written request signed by at least 25 (twenty-five) electors.

The Clerk shall notify the electors of the time and place of the holding of all meetings by causing appropriate advertisements to be printed once a week in some common newspaper distributed in the Town of South Kingstown during the two weeks prior to the meeting. Notices shall be posted in at least three public places in the service area.

Notices for any special meeting shall include all items that are to be considered or acted upon at that special meeting. Only those items that have been included in the notice of the special meeting may be considered at the special meeting.

No tax shall be ordered at any meeting, nor shall any agreement or contract involving the expenditure of moneys be entered into, nor the authorization to borrow money be given unless mention thereof is made in the notice of said meeting, except the annual meeting, the notice of which meeting shall be deemed sufficient authorization to transact any business legally relative to the District, other than the revision of these By-laws and the implementation of any tax. The vote to institute such tax shall require a three-fourths ($\frac{3}{4}$) majority of those legally qualified electors present at a special meeting of the Kingston Water District.

A quorum shall consist of 15 (fifteen) legally qualified electors. (*Electors, as provided by Section 2 of the Charter, are residents of the District who are “qualified to vote in town affairs on propositions to impose taxes or for the expenditure of moneys.”)

ARTICLE 3: DUTIES OF THE OFFICERS.

The Moderator shall preside at all meetings of the District at which he/she is present. In the case of his/her absence, the clerk, and in his/her absence, the Treasurer shall preside and proceed immediately with the election of a Moderator pro tempore. Every Moderator shall have power to manage and regulate the business of each meeting conforming to law, and to preserve peace and good order therein. Upon motion, made and seconded, relative to any business regularly before such meeting, and after hearing all electors entitled to vote thereon and who desire to be heard, the Moderator shall cause the vote of the electors entitled to vote thereon by acclamation, by hand, by rising, or by division, and shall announce the result of the vote. However when the pending question shall involve the expenditure of money or the incurring of liability by the District, the vote shall be taken by paper ballot, if such ballot be called for and the call seconded by at least five of the electors qualified to vote thereon.

The Clerk, in addition to the duties set forth in **Article 2** and the preceding paragraph, shall keep an accurate record of all business transacted at the meeting of the District, and carefully preserve the important records and reports belonging thereto. If the Clerk is not present, the Moderator shall call for the election by the voters present of a Clerk pro tempore. As soon as possible after the Annual Meeting, the Clerk will deliver copies of the minutes to the Officers and Board of the District.

The Treasurer and Tax Collector shall each give bond to the District in such amount as determined by the Board for the faithful performance of the duties of their respective offices according to law. The Treasurer shall make no payments from the treasury of the District except in pursuance of its vote, or upon the approval of at least three of its Water Commissioners. The Board of Commissioners may authorize the Manager of the Water District to authorize the expenditure of funds amounting to fifteen hundred (\$1,500) dollars for any individual item. The Manager shall make a written report to the District annually of all moneys received and disbursements made, together with the purposes therefore.

The Assessors of Taxes and the Tax Collector shall serve in accordance with Section 8 of the Act of Incorporation of the District. The chairperson of assessors shall be responsible for calling the assessors together within one month after the imposition of any tax to set up a schedule for the preparation of the District tax assessments and shall report progress in writing or in person to the Board of Commissioners at each monthly meeting until assessing is completed and the list for tax bills is ready. The Tax Collector shall be required to provide the Board of Water commissioners with a monthly report. This report is to include the amount of tax collected and those accounts which are delinquent.

Pursuant to all relative regulatory requirements, the District shall engage annually the services of an outside auditing firm to conduct an independent audit that shall conform to all generally accepted auditing practices as may be required by the federal government.

The Board of Water Commissioners shall hold a duly advertised public hearing to present the budget for the coming year. The Budget Hearing shall be held neither less than two weeks nor more than four weeks before the Annual Meeting. The budget hearing may be held as part of a regular meeting of the Board of Commissioners. A copy of the proposed budget shall be posted at the Kingston Water District office at least seven days prior to the meeting. In addition, the Budget Hearing will be noticed in the same manner as all special meetings.

ARTICLE 3: THE DUTIES OF THE OFFICERS.

The Water Commissioners will meet at least ten (10) times annually. Attendance of at least 70% of scheduled Commission meetings is required for continued membership on the Board of Water Commissioners. Any commissioner, who after one year has failed to attend at least 70% of Commission meetings, shall be replaced in accordance with **Article 1** of these By-laws. No property shall be taken from the District except in conformity with policies established by the Board of Water Commissioners.

At least one month prior to the date of the Annual Meeting, the board of Water Commissioners shall appoint a Nominating Committee composed of three qualified electors, none of whom shall be officers of the District, whose duty it shall be to present to the Annual Meeting a complete slate of nominees to be then filled by election. The Board of Water commissioners shall set the date for the first meeting of the Nominating Committee at the time of its appointment of said committee. The Committee shall elect its own chairman at that first meeting. The Nominating Committee shall present to each individual on the slate, before the Annual meeting at which he/she is elected, a list of duties as outlined in the Act of Incorporation and these By-laws.

ARTICLE 4: SALARIES.

The compensation of the Manager and other employees of the Water District shall be determined by the Board of Water Commissioners. The compensation of all other officers and employees of the District shall be determined as provided for in Section 5 of the Act of Incorporation or upon recommendation of the Board of Water Commissioners.

ARTICLE 5: FISCAL YEAR.

The fiscal year of the District shall be a calendar year beginning January first of each year.

ARTICLE 6: PARLIAMENTARY AUTHORITY.

Unless otherwise required by the Charter or by these By-laws, the District's meetings shall be conducted in accordance with the most recent edition of Robert's Rules of Order.

ARTICLE 7: AMENDMENTS.

These By-laws shall take effect upon their adoption by any legal meeting of the District. They may be amended at any legal meeting of the District by a two-thirds (2/3) vote of the electors present and qualified to vote thereon, provided that notice of the intended amendment(s) has been given in the notice calling said meeting.

Modifications in wording of proposed amendments may be made by a majority vote of the meeting, and, provided they do not alter the original and basic intent of the proposed amendment, shall not be held to prevent final adoption by the meeting to which they were first submitted.