

**Bowie Water Improvement District**  
**By-Laws**  
4/16/12

**1. Name of the District**

1.01 The name of the district shall be Bowie Water Improvement District, hereafter referred to as BWID, which shall be used in all contracts to which BWID is a party and in all other documents having legal significance and by which BWID shall be known in all proceedings.

**2. BWID Office**

2.01 BWID shall maintain its principal office at 113 S. Eisenhower Ave., Bowie, Arizona, or at such other place as the Board of Directors (hereafter referred to as BOD) may designate. The mailing address is P.O. Box 127, Bowie, Cochise County, Arizona, 85605 for all business mail.

**3. BWID Management**

3.01 Management of BWID shall be by a Board consisting of five (5) Directors who are registered voters and residents within BWID. Each Director's term shall be for four (4) years with the terms of office staggered as three and two members elected by ballot on date determined (as per A.R.S. 16-204) by the Cochise County Board of Elections.

3.02 The management of BWID shall take no action that appears as a conflict of interest.

3.03 Vacancies on the BOD shall be filled by appointment. The BOD will advertise the vacancy at the Post Office, accept Letters of Interest, hold interviews and select a candidate by BOD vote.

3.04 The BOD shall be empowered to hire, contract, appoint, or otherwise utilize personnel, staff, and other resources and equipment as deemed appropriate.

3.05 The BOD reserves the right to set rates, fees and deposits at anytime by majority vote.

**4. BWID BOD Officers**

4.01 The BOD shall elect a Chairman for every 2 years to conduct BOD Meetings after BWID Board elections.

4.02 The BOD shall elect a Vice-Chairman after BWID Board elections to conduct BOD Meetings when the Chairman of the BOD is absent.

- 4.03 The Office Manager acts as Secretary to generate meeting notices, meeting minutes and general correspondence.
- 4.04 No family members shall serve on the BOD at the same time if they are living in the same household and/or are financially connected.
- 4.05 No BOD shall serve concurrently with any BWID employee that is a family member living in the same household and/or are financially connected.
- 4.06 A Director can be dismissed from serving on the BOD if they miss three (3) consecutive meetings.
- 4.07 No BOD member shall come to a meeting intoxicated or under the influence of narcotics and/or illegal substances. If so they will be dismissed off the board.

#### **5. BWID Sub-Contract Employees**

- 5.01 Employment by individual contract.
- 5.02 No BWID employee shall be related to any other BWID employee living in the same household and/or financially connected.

#### **6. BWID BOD Mission, Vision, Values Statements**

- 6.01 Mission Statement. The mission of the BWID is to provide safe domestic water at reasonable cost to the customers, landowners and stakeholders of the District.
- 6.02 Vision Statement. The vision of the BWID BOD is to serve the customers, landowners, and stakeholders of the District through efficient management of resources, encouragement of conversation, and continued existence in a visionary manner that provides safe, domestic water at reasonable cost to our citizens.
- 6.03 Values Statement. The values of the BWID BOD are the safety of customers and employees, openness in meetings and transactions, and the active solicitation of the knowledge, experience, and concerns of all the district stakeholders.

#### **7. BWID BOD Areas and Items of Importance and Emphasis**

The BOD has identified five Areas and Items of Importance and Emphasis. Board Members may volunteer to serve as Board Representative of these areas:

- 7.01 Board Representative for Customer Relations



- 7.02 Board Representative for Employee Relations
- 7.03 Board Representative for Operations, Maintenance and Compliance
- 7.04 Board Representative for Financial Stability
- 7.05 Board Representative for Strategic Planning

## **8. BWID BOD Meetings**

- 8.01 Regular Meetings. Regular meetings of the Board shall be held at 113 S. Eisenhower Ave., Bowie, Arizona at 6:00 p.m. on the third Tuesday of each month unless otherwise designated by the Chairman of the Board. Changes or cancellations shall be posted at the Post Office at least twenty-four (24) hours in advance.
- 8.02 Special Meetings. Special meetings of the Board may be held at any time upon the call of the Chairman or upon the request of two (2) or more Directors of the Board.
- 8.03 Notices. At least twenty-four (24) hours prior to the date of any Regular or Special Meeting of the Board, the Directors will be notified of the time, place and general purposes of the meeting. In the event of an emergency, the meeting will be noticed as appropriate to the circumstances, a notice will be posted within twenty-four (24) hours declaring that an emergency session has been held, setting forth the same information as is required for regular session agendas.
- 8.04 Quorum. At any meeting of the BOD, a quorum shall consist of not less than a majority of the Board. No official business may be transacted in the absence of a quorum. If a quorum is present, a majority vote of the Directors in attendance shall be sufficient for the transaction of official business.
- 8.05 Motion Approval. A motion will be considered approved if a majority of the Board that is in attendance votes in the affirmative. A motion will be considered to have failed and dropped from the agenda if a majority of the Board in attendance does not vote in the affirmative.
- 8.06 Rules of Procedure. The Arizona Open Meeting Law (A.R.S. 38-431) shall govern the conduct of all BWID BOD meetings. Any legal action taken by the BWID Board is by majority vote of quorum. Any Board member taking individual action may be responsible for the cost incurred, censured, or subject to a recall vote.
- 8.07 Minutes of Meetings. Minutes of all meetings shall be taken in accordance with the requirements of the Arizona Open Meeting Law. The

Minutes shall state the date, time, location, roll call, matters considered, action taken, motions, seconds, and action taken. Minutes shall be taken in Executive Session providing all of the above information, but the discussions and minutes are confidential and may not be discussed and must be filed in a secure location.

## **9. BWID BOD Meeting Procedure**

9.01 Items and issues for the meeting agenda from the Directors and the public must be submitted to the office in written form three (3) days prior to scheduled meeting. After agenda has been posted in the Post Office, copies of same may be obtained at the office. The Directors may discuss and take action on any items on the agenda. The Directors can decide at any time to go in to Executive Session as per the Arizona Open Meeting Law.

9.02 Public Participation:

- 1) Members of the public who have placed an item on the agenda are the only ones permitted to speak on that agenda item and their comments will only be related to that specific agenda item as per Arizona Open Meeting Law. Comments will be limited to three (3) minutes or other such time as may be designated by the Chairman or majority of the Board.
- 2) Speaker will stand and address the Chairman and Directors. He/she will clearly and concisely state their name, place of residence and intent of the agenda item.
- 3) A speaker shall not verbally attack nor impugn the motives of any of the Directors, staff or other speakers.

## **10. Amendments to the By-laws**

These By-laws can be amended by majority vote of the Board of Directors.

## **11. Handling of Account Payments**

11.01 Payment of account can be made by mail, at the BWID Office during office hours or in either of the to convenient blue drop boxes (located on the southwest corner of Kinchilla St. & Central Ave. and in the alley entrance to the BWID Office). Payment can be made with cash, a check, or a money order. A receipt will be given for the amount paid at the office, or on demand.

11.02 Each Monthly bill must be paid in full by the fifteenth (15<sup>th</sup>) of that month. Any account paid after that date will be charged a five dollar ~~(\$5)~~ late fee for that

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billing on the next months billing. Any account that is not paid in full for two (2) months or is eighty dollars (\$80) or more in arrears will be notified in writing that service will be disconnected in fifteen (15) days, unless account owner contacts the BWID Office and makes other arrangements.

11.03 If account service is disconnected for non-payment, to re-establish service the account owner must pay the amount owed plus an amount double the deposit, a ten dollar ~~(\$40)~~ disconnect fee, and a ten dollar ~~(\$40)~~ reconnect fee.

11.04 Anyone caught in the BWID fraudulently using water (i.e. with no account, on someone else's account or under any other false pretense) will have service cut off and will be prosecuted to the fullest extent of the law.

11.03

both changed to \$20

also add deposit info as  
of 7/22/14 Meeting