

## RESOLUTION NO. 2019-9-1

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE THREE LAKES WATER AND SANITATION DISTRICT ADOPTING AMENDED BY-LAWS

#### RECITALS

WHEREAS, Three Lakes Water and Sanitation District (“District”) is a quasi-municipal corporation and special district duly organized and existing under the Constitution and laws of the State of Colorado; and

WHEREAS, C.R.S. § 32-1-1001(1)(m) states that the District’s Board of Directors (the “Board”) has the power to “adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district”; and

WHEREAS, House Bill 17-1297 increased the amount of annual compensation that directors may receive for their services, and the Board desires to update its By-laws to be consistent with the requirements of C.R.S. § 32-1-902(3); and

WHEREAS, House Bill 18-1039 changed regular special district elections from even-numbered years to odd-number years effective in 2023, and the Board desires to update its By-laws to be consistent with the amended requirements of C.R.S. §§ 32-1-103(17) and 1-13.5-111(1); and

WHEREAS, House Bill 19-1087 updated and amended the requirements for posting notices of public meetings, and the Board desires to update its By-laws to be consistent with the amended requirements for electronically posting notice of public meetings on the District’s public website in accordance with C.R.S. § 24-6-402(2)(c)(III); and

WHEREAS, these proposed amendments to the By-laws were presented at the regular Board meeting held on August 12, 2019.

#### RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THREE LAKES WATER AND SANITATION DISTRICT AS FOLLOWS:

1. The Board hereby approves an amendment to its By-laws to change Sections 6.3, 6.4, 8.1, 8.4, 12.1, 12.2 as follows (new language is *italicized* and deleted language has a ~~strikethrough~~):

#### 6. MEETINGS.

6.3 Notice of Meetings. Section 6.1 shall constitute formal notice of regular meetings to Board members and no other notice shall be required to be given to the Board other than the ~~permanent posting and the 24-hour agenda notice as required by statute, which shall be provided on the District’s public website or at a designated public place within the~~

*boundaries of the District, in the event that the District is unable to post a notice online in exigent or emergency circumstances such as a power outage or an interruption in internet service that prevents the public from accessing the notice online.*

- 6.4 Special Meetings. Special meetings of the Board may be called upon ~~three days'~~ 24 hours' notice which shall be posted ~~in three places within the District, at the office of the Clerk and Recorder of Grand County, as required by statute, on the District's public website or at a designated public place within the boundaries of the District, in the event that the District is unable to post a notice online in exigent or emergency circumstances such as a power outage or an interruption in internet service that prevents the public from accessing the notice online,~~ with notice delivered to each Director by mail or e-mail *or in-person or via telephone call.*

## 8. DIRECTORS, OFFICERS AND PERSONNEL

- 8.1 Director Qualification and Terms. Directors shall be electors of the District. The term of each Director shall be determined by relevant statutory provisions with elections held in even numbered years *through 2022 and in odd-numbered years beginning in 2023* and conducted in the manner prescribed by C.R.S. §§ 32-1-801, et seq, as amended. Each Director shall sign an oath of office and, at the expense of the District; the District shall furnish a faithful performance individual, schedule, or blanket surety bond in a sum of no less than \$1,000.

- 8.4 Election of Officers. The Board of Directors shall elect from its Membership a Chairman, Vice Chairman, and Secretary/Treasurer. The officers shall be elected by a majority of the Directors voting at the meeting. The election of the officers shall be conducted biennially at the first regular meeting of the Board following the regular biennial election of the Directors held in May of even-numbered years *through 2022 and in May of odd-numbered years beginning in 2023 or following creation of a vacancy in an officer position.* Each officer so elected shall serve *until any of the following occur: for a term of two years, which term shall expire upon the election of the officer's<sup>2</sup> successors, or upon the officer's<sup>2</sup> reelection to that office, or the officer's resignation or removal from the Board.*

12. COMPENSATION. *Directors may receive compensation for the Director's services up to the limits provided in the Special District Act. Current limits are listed below, but if the Special District Act is amended, the compensation may be increased up to statutory limitations without amending these By-laws.*

- 12.1 For directors serving a term of office commencing prior to ~~July 1, 2005~~ *January 1, 2018*, each director may receive as compensation for the director's service a sum not in excess of ~~\$1,200~~ \$1,600 per annum, payable not to exceed ~~\$75~~ \$100 per meeting attended. (C.R.S. § 32-1-902(3)(a)(I)).

- 12.2 For directors serving a term of office commencing on or after ~~July 1, 2005~~ *January 1, 2018*, each director may receive as compensation for the director's service a sum not in excess of ~~\$1,600~~ \$2,400 per annum, payable not to exceed \$100 per meeting attended. (C.R.S. § 32-1-902(3)(a)(II)).

2. The Board directs the District Manager to update the By-laws to incorporate the amendments adopted herein and to amend the titles of Sections 12.1 and 12.2 in the table of contents of the By-laws to include the appropriate dates.

3. The District's By-laws that are not amended by this Resolution remain in full force and effect. Nothing herein amends the Rules and Regulations of the District.

4. The amendment takes effect immediately upon adoption of this Resolution.

ADOPTED this 9<sup>th</sup> day of September 2019.

THREE LAKES WATER AND SANITATION  
DISTRICT

By:   
Patricia Farmer, President

ATTEST:

  
Les Shankland, Secretary