

**BYLAWS
OF
SANGAMON VALLEY PUBLIC WATER DISTRICT**

**ARTICLE I
PURPOSE AND SCOPE**

Section 1.1: Prior Resolution.

The District previously passed "Resolution #1" dated July 26, 1972 in order to establish the basic administrative policies and procedures governing the operation of the Sangamon Valley Public Water District ("the District"). The Board of Trustees of the District hereby replaces Resolution #1 in its entirety effective immediately upon the passage of these Bylaws.

Section 1.2: Authority and Scope.

The District is organized under and operates pursuant to the authority granted by the Illinois Public Water District Act (70 ILCS 3705/1 et. seq.) as may be amended from time to time. In addition, the District has enacted various ordinances which establish the rules, regulations, and operations of the District. The Board of Trustees of the District voted to enact these Bylaws in order to address various matters affecting the District that are not otherwise addressed in the Public Water District Act or another District ordinance. Any provision of these Bylaws that conflicts with the Public Water District Act shall be resolved in favor of the Public Water District Act. Any provision of these Bylaws that conflicts with a District ordinance shall be resolved in favor of these Bylaws.

**ARTICLE II
OFFICES**

Section 2.1: Principal Office.

The principal office of the District shall be located at 709 N. Prairieview Road, Mahomet, Champaign County, Illinois.

**ARTICLE III
BOARD OF TRUSTEES**

Section 3.1: General Powers and Authority of the Board.

The Trustees of the District shall be responsible for the government, control and management of the affairs of the District in accordance with Illinois law, District ordinance, and these Bylaws. The Trustees shall be the corporate authority of the District and shall exercise all the powers, manage and control all the affairs and properties of the District, and shall have power to adopt a corporate seal for the District. The Board of Trustees shall annually approve and adopt the District's appropriation budget. The Board of Trustees shall annually review the rates and charges for the use and service of the District's waterworks properties to ensure that said rates

and charges are sufficient at all times to pay the cost of maintenance and operation, to pay the principal of and interest upon all revenue bonds issued under the provisions of Section 16 of the Public Water District Act (70 ILCS 3705/16), and to provide a reasonable depreciation fund as established pursuant to the provisions of the ordinance authorizing the issuance of any such revenue bonds. The Board of Trustees shall annually review the rates and charges for the use and service of the District's sewerage properties to ensure that said rates and charges are sufficient at all times to pay the cost of maintenance and operation of such properties, to pay the principal and interest of bonds issued under the provisions of Section 23b of the Public Water District Act (70 ILCS 3705/23b), and to provide a reasonable depreciation fund.

Section 3.2: Election of Trustees.

An initial election of Trustees shall take place during the nonpartisan election to be held on the first Tuesday of April in 2023. All future Trustees of the District shall be elected at each nonpartisan election thereafter as provided in 70 ILCS 3705/4.2. Prior to the initial election of Trustees, all previously appointed Trustees shall continue to constitute the Board of Trustees of the District until the first Monday of the month following the month of the initial election of Trustees or until successors have been elected and have qualified, whichever occurs later.

Section 3.3: Number, term, and qualifications.

The authorized number of Trustees of the District shall be seven (7) unless reduced in accordance with the provisions of 70 ILCS 3705/4.1.

The length of the terms of the initial elected Trustees shall be determined by lot at their first meeting so that 3 of the initial elected Trustees shall serve for terms of 2 years and 4 shall serve for terms of 4 years. Thereafter, each elected Trustee shall serve for a term of 4 years.

Each Trustee must be a resident of the District and shall not be convicted of a felony. Trustees shall complete annual trainings as required under Illinois law or as otherwise directed by the Board of Trustees. Said trainings shall include, but not be limited to the following topics: sexual harassment, the Illinois Open Meetings Act, and governmental ethics. Trustees shall review their job descriptions on an annual basis to verify compliance with the requirements of these Bylaws.

Section 3.4: Resignation of Trustees.

A Trustee may resign his or her position by delivering written notice to the Board of Trustees. A resignation is effective when the notice is received, unless the notice specifies a later effective date. The Board of Trustees may fill a pending vacancy in accordance with these Bylaws prior to the effective date of the resignation as long as the successor Trustee does not take office until said effective date.

Section 3.5: Removal of Trustees.

A Trustee may be removed as permitted by Illinois law.

Section 3.6: Vacancies.

Whenever a vacancy in an elected Board of Trustees occurs, whether by death, resignation, refusal to qualify, or for any other reason, the remaining Trustees shall fill the vacancy by appointment, and the person so appointed shall assume the duties of the office for the unexpired term of the office to which he or she was appointed.

Section 3.7: Compensation.

Trustees shall be paid a sum not to exceed \$1,200 per year for their duties as Trustees. Compensation shall be determined by resolution of the respective Boards of Trustees, to be adopted annually at their first meeting in May.

Section 3.8: Conflicts of Interest.

Trustees shall not violate the provisions of the Illinois Public Officer Prohibited Activities Act, including but not limited to the provisions of Section 105/3 "Prohibited interest in contracts". *See* 50 ILCS 105/1 et. seq.

Section 3.9: Ethics.

Trustees shall not violate the provisions of the Illinois Governmental Ethics Act. *See* 5 ILCS 420/1 et. seq.

ARTICLE IV
MEETINGS OF THE BOARD OF TRUSTEES

Section 4.1: Place of Meetings.

All meetings of the Board of Trustees shall be held at the District offices described in these Bylaws.

Section 4.2: Annual Meeting.

The annual meeting of the Board of Trustees, for the purpose of electing officers shall be held in May of each year, at a time, location and date as directed by the Board of Trustees.

Section 4.3: Regular and Special Meetings.

Regular meetings of the Board of Trustees shall be held on the 4th Monday of each month. Any Trustee may call a special meeting by notifying the other Trustees in writing of the time, place, and purpose for the meeting no less than 48 hours in advance.

Section 4.4: Quorum and Voting.

A quorum of the Board of Trustees consists of a majority of the Trustees currently in office.

Section 4.5: Manner of Acting.

If a quorum is present when a vote is taken, the affirmative vote of a majority of Trustees present is the act of the Board of Trustees, unless the vote of a greater number of Trustees is required by law or these Bylaws. A Trustee may not vote or act by proxy at any meeting of Trustees.

Section 4.6: Rules of Order.

The rules contained in Robert's Rules of Order, Rev. shall govern the meetings and other activities of the Board of Trustees in all cases in which they are applicable and in which they are not inconsistent with the Bylaws.

Section 4.7 Public Participation.

Sangamon Valley Public Water District recognizes the importance of public comment, at the discretion of the Chair, on items on the official agenda as well as items not on the official agenda. We ask that all comments from the public be directed to the Chair and that all parties, including members of the SVPWD Board, act in a professional and courteous manner when either addressing the Board, or in responding to the public. Once recognized by the Chair, all persons addressing the Board shall state their name prior to speaking. It is the role of the Chair to set time limitations and maintain order during all public comment discussions, as it is important that the Board allow themselves enough time to conduct their official District business.

- Public Comment is a time when residents can bring matters before the Board that are not on the official agenda.
- Comments must be short and to the point. Plan on being allowed up to five (5) minutes per person (not per topic) to speak.
- Total time for Public Comment is thirty (30) minutes, which can be adjusted by the Chair, based on the meeting's formal agenda content, and time requirements.
- You are free to ask questions or to make your point for all to consider. However, engaging in active debate with the Board or audience members will not be allowed.
- All remarks must be respectful and courteous, free of personal attacks. Inappropriate language will not be tolerated.
- Employees, committee, or board members who have business with the Board will not request recognition during Public Comment time.
- Persons wanting to reserve time on an official agenda must contact the Secretary's office.
- Except in unusual circumstances, any matter presented for consideration to the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with these guidelines.
- Public comments will require a sign-in for in-person meetings.
- Public comments to be read remotely must be submitted to the Secretary no later than the start time of the meeting.

ARTICLE V
OFFICERS

Section 5.1: Number.

The officers of the District shall consist of a Chairman, Vice Chairman, Secretary, and Treasurer. No offices may be held by the same person.

Section 5.2: Election of Officers, Term, and Vacancy.

Except in the case of a vacancy, officers shall be elected by the Board of Trustees at the annual meeting to be held in May of each year. Trustees of the District may nominate potential officers to be elected. Nominees for Chairman and Vice Chairman shall be members of the Board of Trustees. Nominees for Secretary and Treasurer shall not be members of the Board of Trustees. Nominees who receive a majority of votes by the Board of Trustees shall be elected.

Each officer shall hold office for a term of one (1) year, or until such officer's death, resignation, or removal, or until such officer's successor is elected.

A vacancy occurring in a position of officer may be filled at any time by the majority vote of the Board of Trustees. The term of an officer elected to fill a vacancy shall expire at the end of the term that such officer is filling.

Section 5.3: Resignation and Removal.

An officer may resign at any time by delivering written notice to the Board of Trustees. A resignation is effective when the notice is received unless the notice specifies a future effective date. The Board of Trustees may fill a pending vacancy before the effective date of the resignation as long as the successor does not take office until the effective date. An officer may be removed by a majority vote of the Board of Trustees then in office.

Section 5.4: Duties, Salaries, and Bonds of Officers.

District officers shall each perform duties and receive salaries as prescribed by the Board of Trustees and shall be required to furnish bonds in a sum as may be fixed by the Board of Trustees for the use and benefit of the District.

Section 5.5: Chairman.

The Chairman shall conduct and prepare the agenda for the District's regular and special meetings. The Chairman shall serve as Executive Administrator of the District. The Chairman shall represent the District as deemed appropriate by the Board of Trustees. The Chairman shall represent and serve as liaison between the District and other public agencies. The Chairman shall administer the business of the District's users and fulfill the mission of the District as directed by the Board of Trustees. The Chairman shall be compensated a maximum rate of \$1,500.00 per year.

Section 5.6: Vice Chairman.

The Vice Chairman shall assist the Chairman and perform the duties of the Chairman in his or her absence, or in the event the Chairman is unable or unwilling to perform his or her duties.

Section 5.7: Secretary.

The Secretary shall: (a) prepare minutes of all meetings of the Board of Trustees; (b) authenticate records of the District as needed; (c) give all notices required by law or these By-Laws including notices of the date, time, and place of all meetings; (d) have general charge of District records and of the corporate seal, and affix the corporate seal to any lawfully executed instrument required to be sealed; (e) sign instruments as required; and (f) perform all duties incident to the office of Secretary and such other duties as may be assigned from time to time by the Chairman or the Board of Trustees.

Section 5.8: Treasurer.

The Treasurer shall: (a) have custody of all funds and securities belonging to the District and receive, deposit or disburse the same under the direction of the Board of Trustees; (b) keep full and accurate accounts of the finances of the District in books especially provided for that purpose; (c) cause such returns, reports and/or schedules as may be required by the Internal Revenue Service and the state taxing authorities to be prepared and filed in a timely manner; (d) prepare a true balance sheet (statement of assets, liabilities, and fund balance) of the District as of the close of each fiscal year and true statements of activity (support and revenue, expenses, and changes in fund balance), functional expenses, and cash flows for such fiscal year, all in reasonable detail, to be prepared and submitted to the Board of Trustees; and (e) perform all duties incident to the office of Treasurer and such other duties as may be assigned from time to time by the Chairman or the Board of Trustees.

ARTICLE VI
COMMITTEES

Section 6.1: Board Committees in General.

The Board of Trustees may create one or more committees to perform any functions or tasks as the District may require from time to time. Committees of the Board shall be composed of at least one Trustee who shall be appointed by the Chairman and approved by a majority vote of the Trustees. No committee of the Board shall be required to have an annual meeting or scheduled regular meetings. To the extent specified or expressly authorized by the Board of Trustees, each committee may exercise the authority of the Board. However, a committee may not (a) authorize distributions; (b) approve or recommend dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the District's assets; (c) elect, appoint, or remove Trustees or fill vacancies on the Board or any committee of the Board; or (d) adopt, amend, or repeal these By-Laws.

ARTICLE VII
GENERAL PROVISIONS

Section 7.1: Corporate Seal.

The corporate seal shall be in such form as the Board of Trustees may from time to time determine.

Section 7.2: Fiscal Year.

The fiscal year of the District shall begin January 1st and end on December 31st of each year. The annual budget for the following fiscal year shall be approved no later than December 1st of the prior.

Section 7.3: Financial Reports.

The books of the District shall be closed as of the end of each fiscal year and financial statements shall be prepared and submitted to the Board of Trustees. In the discretion of the Board of Trustees, and subject to the requirements of state law, the District shall engage an independent certified public accountant to prepare, audit, or review the financial statements.

Section 7.4: Corporate Minutes and Records.

The District shall keep as permanent records minutes of all meetings and other records as required under Illinois law.

Section 7.5: District Staff.

- A. Attorney, Engineer, and Other Officers. The Board of trustees may in its discretion from time to time by resolution passed by a majority vote provide for the appointment of an attorney, one or more engineers, and such other officers as said Board may determine necessary and expedient. The Board shall in and by such resolution fix the term of office, compensation and prescribe the duties to be performed by such officers.
- B. General Manager. The Board of Trustees may appoint a general manager and his or her compensation shall be fixed by resolution of the Board. Such general manager shall devote his or her time exclusively to the affairs of the District, and shall have power to employ, discharge and fix the compensation of all employees of the District, except as otherwise provided in the Public Water District Act, and he or she shall perform and exercise such other powers and duties as may be conferred upon him or her by the Board of Trustees.

Such general manager shall be chosen without regard to his or her political affiliation and upon the sole basis of his or her administrative and technical qualifications to manage the waterworks and sewerage properties and affairs of the District, and he or she may be discharged at a meeting of the Board of Trustees upon a majority vote.

Such general manager need not be a resident of the District at the time he or she is chosen.

Section 7.6: Statement of Economic Interest.

Trustees, officers, and employees of the District shall perform an annual disclosure of economic interests to the Champaign County Clerk as required under the Illinois Governmental Ethics Act.

ARTICLE VIII
AMENDMENTS TO BY-LAWS

Section 8.1: Amendments.

Any provision of these Bylaws may be amended by a 2/3 vote of the Board of Trustees. The District shall provide at least seven (7) days' written notice of any meeting at which an amendment is to be approved unless such notice is waived by unanimous vote of the Board of Trustees. The notice must state that at least one purpose of the meeting is to consider a proposed amendment and contain a copy or summary of the proposed amendment.

Section 8.2: Repeal of Former By-Laws.

Upon approval of these Bylaws, all former Bylaws are hereby repealed.

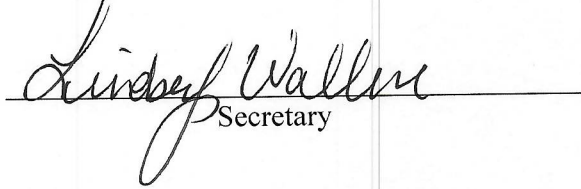
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These Bylaws are hereby adopted by the Board of Trustees of the Sangamon Valley

Public Water District on the 28th day of November, 2022.


Chairman

ATTEST:


Secretary