



BYLAWS Of Alpine Village Sanitation District

Article 1 Name, Membership, and Definitions

Section 1. Name and Form. Alpine Village Sanitation District is the name of this Water and Sanitation District, formed pursuant to Sections 73-21-1 through 73-21-55 NMSA 1978.

Section 2. Membership. Membership of the District consists of its taxpaying electors, as that term is defined in section 73-21-4 NMSA 1978. Each registered voter will have one vote.

Section 3. Definitions. The terms in these bylaws shall have the same definitions as those used in state law.

Article 2 Board of Directors, Number, Powers, Meetings

Section 1. Governing Body; Composition. The affairs of the District shall be governed by a Board of Directors (the "Board"). The members of the Board and the District shall be elected as provided by law and shall qualify by filing with the Clerk of the District Court their oaths of office, and corporate surety bonds conditioned for the faithful performance of their duties as directors in an amount not to exceed \$1,000 each.

Section 2. Number of Directors. The Board shall consist of three members, who will be elected on individual ballots by tax payers of the property who are registered voters in the State of New Mexico.

Section 3. Term of Office. Members of the Board shall serve a term of six years, with staggered terms.

Section 4. Meetings. The board shall meet once each month at a time and place to be designated by the Board. Special meetings may be held as often as the needs of the District require on notice to each member of the Board and to the public as required by law.

Section 5. Removal of directors. The District Court shall have the power to remove Directors for cause shown, on petition, notice and hearing.

Section 6. Vacancies. Any vacancy on the Board shall be filled by the remaining members or member of the Board by appointing a person or persons from the electorate to serve out the term of the vacant position. The appointee shall act until the next election, and the vacancy shall then be filled by election.

Section 7. Quorum of Board. A majority of the directors shall constitute a quorum.

Section 8. Compensation. The members of the Board shall serve without compensation. Members shall be allowed their actual and necessary expenses incurred in performance of their duties. Expenses are submitted to the president for approval.

Section 9. Open Meetings. All meetings shall be in accordance with the New Mexico Open Meetings Act (Section 10-15-1 through 10-15-4 NMSA 1978). Notification of regular meetings will be posted in a public place and/or printed in a local newspaper before meeting occurs.

Section 10. Powers. For an on behalf of the District, the Board shall have the following powers:

- (a) to have perpetual existence;
- (b) to have and use a corporate seal;
- (c) to sue and be sued and be a party to suits, actions and proceedings;
- (d) except as otherwise provided by law, to enter into contracts and agreements affecting the affairs of the District. Where required by law, the board shall follow applicable bid requirements.
- (e) to borrow money and incur indebtedness and evidence the indebtedness by certificates, notes or debentures and to issue bonds in accordance with law;
- (f) to acquire, dispose of and encumber real and personal property, water rights, water and sewer works and plants and any interest in them, including leases and easements;
- (g) to refund any bonded indebtedness or revenue bonds of the District without an election in accordance with law;
- (h) to have the management, control and supervision of all the business and affairs of the District and the construction, installation, operation and maintenance of District improvements;
- (i) to hire and retain agents, employees, engineers and attorneys;
- (j) to have and exercise the power of eminent domain as provided by law;
- (k) to construct and maintain works and establish and maintain facilities as provided by law;
- (l) to establish, collect, and enforce the collection of rates, as provided by law;
- (m) to adopt and amend by-laws not in conflict with the constitution and laws of the state for carrying on the business, objects and affairs of the Board and of the District;

(n) to levy and collect ad valorem taxes on and against all taxable property within the District; and

(o) to have and exercise all right and powers necessary or incidental to or implied from the specific powers granted by law. (See NMSA 73-23-16N).

Article 3 Officers

Section 1. Officers. The officers shall be a chairman of the Board and president of the District, (a vice-chairman of the Board and vice-president of the District when a five member board exists), and a secretary of the Board and the District. A treasurer is secured for handling financial matters and is not a member of the Board.

Section 2. Election and Term. Board officers will be voted upon by board members at the first regular meeting following the election every two years.

Section 3. Removal. See Article 2, Section 5.

Section 4. Chairman and President. The chairman of the Board and president of the District shall preside at all meetings of the Board.

Section 5. Vice Chairman and Vice President. The vice president of the District shall preside over all meetings of the board in the absence of the chairman and president when a five-member board exists.

Section 6. Secretary. The secretary shall keep a record of all proceedings, minutes of all meetings, certificates, contracts, bonds given by employees and all corporate acts which shall be open to inspection of all owners of real property in the District, as well as to all other interested parties.

Section 7. Treasurer. The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the District, in permanent records. He shall file with the clerk of court, at the expense of the District, a corporate fidelity bond in an amount not less than \$5,000, conditioned on the faithful performance of the duties of his office. The treasurer is not an elected member of the District.

Section 8. Resignation. Resignation of any officer must be in writing and delivered to the Board, the chairman and president, or the Secretary. It shall take effect at the time specified in the notice, or immediately if no time is specified. Unless otherwise stated in the notice, acceptance of a resignation is not required to make it effective.

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