

2022

BYLAWS
OF
GREEN VALLEY SANITARY
DISTRICT

Bylaws Of
Green Valley Sanitary District
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BYLAWS OF GREEN VALLEY SANITARY DISTRICT

ARTICLE 1. General Purpose & Services

SECTION 1. Organizational Statement

Green Valley Sanitary District is a consolidated sanitary district. For purposes of these Bylaws, Green Valley Sanitary District shall be referred to as the 'District.'

SECTION 2. General Purpose of District

The District, created and established under this chapter, shall be a governmental subdivision of this state and a public body, corporate and politic and shall be afforded all privileges and immunities afforded to such an entity as proscribed by law. The mission of the District and its Board of Trustees includes the following:

- a) To Provide safe drinking water and sanitary sewer collection services; and
- b) To Meet or exceed those requirements set forth by state and federal authorities; and
- c) To provide adequate finances to carry out these requirements, as well as the professional operation and maintenance of the District; and
- d) To be dedicated in
adopting policies, procedures and long range planning in the best interests of those being served, and not for self-interest, or special interest; and
- e) To realize that the services provided are essential to the safety, health, and well-being of the consumer, and to the long term growth and vitality of our area; and
- f) To provide services which are safe, dependable, and affordable

SECTION 3. Membership a Requirement

Membership in such District shall be a requirement to receive sanitary and water service from the District. The requirements for receiving sanitary and water service contained in these Bylaws or any requirements pursuant to current law shall be the requirements followed and enforced by the District to receive such service.

SECTION 4. Services, Benefits and Charges.

The District will install, own, maintain and operate a main distribution pipe line or lines and water system from the source of water supply to service line. Meters shall be installed, owned and maintained by the District. The District shall have the sole and exclusive right to use cutoff valve to turn water on and off Each customer shall, as soon as water is made available in the mains of the District adjacent to or on the property of the customer, pay the established minimum monthly sanitary and water charges as may from time to time be established by the Board of Trustees, and this payment shall be made when the customer connects to the adjacent water main or sewer line of the District. Connecting to District services shall be mandatory for residents of the District.

Customers shall pay for all sewage disposed and water used on a monthly basis, at rates which shall from time to time be fixed by the Board of Trustees; provided, however, that the Board of Trustees may limit the amount of water which the District shall be required to furnish to anyone customer. Each customer shall pay to the District such minimum amount per month regardless of the amount of sewage disposed or water consumed, as shall be fixed by the Board of Trustees from time to time. Each customer shall also pay all amounts owed by him to the District as and when the same shall become due and payable.

ARTICLE II.

Duties and Liabilities of Trustees, Officers and Employees

SECTION 1. Disinterested Trustees, Officers and Employees.

No Trustee, Officer or employee of the District shall be directly or indirectly interested in any contract, work or business of the District, or shall be directly or indirectly interested in the sale of any title, the expense, price or cost of which is paid by such District, nor in the purchase of any real, personal or other property belonging to the District, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said District. Notwithstanding any other provisions of law, a member of the Board of Trustees of the District may contract with the District, if the consideration consists of three thousand dollars or less per year and if the consideration for such supplies or services is reasonable and just.

SECTION 2. Non-Liability for Debts of the District.

The private property of the Trustees, Officers and Employees shall be exempt from execution or other liability for the debts of the District and no Trustee, Officer or Employee shall be liable or responsible for any debts or liabilities of the District.

SECTION 3. Indemnification of Trustees, Officers, Employees or Agents of District.

The District may indemnify any person who was or is a party, or is threatened to be made a party, to any pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that the person is or was a Trustee, Officer, employee or agent of the District or is or was serving at the request of the District as a Trustee, Officer, employee, or agent against expenses including attorneys' fees, judgments, fines and amounts paid in

settlement actually and reasonably incurred by the person in connection with the action, Suit or proceeding if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the District and, with respect to any criminal action or proceeding, had no reasonable cause to believe the person's conduct was unlawful. However, this section does not apply to any action by or in the' right of the District and shall not be considered a waiver of sovereign immunity.

ARTICLE III. Board of Trustees

SECTION 1. General Powers.

The Board of Trustees shall have all the usual powers of a corporation for public purposes, except such as are by law, the Articles of Incorporation, or these Bylaws conferred upon or reserved to another entity or association, including but not limited to, the following powers:

- (a) To appoint a treasurer, a secretary, and a clerk for the District and fix their compensation. The Board of Trustees shall have the power to employ and prescribe the duties and fix the compensation of all necessary Officers and Employees of said sanitary district, and to employ such additional engineering, legal, financial and other professional assistance as it may deem necessary. Such Officers shall hold their respective offices during the pleasure of said Board, and shall give bond for the faithful performance of their duties as may be required by said Board; and
- (b) To sue and be sued and to contract in the name of the District, and
- (c) To adopt a corporate seal and
- (d) To construct and contract for the operation of sanitary sewer mains; and
- (e) To acquire and contract for the operation of water mains, hydrants, intakes, wells, storage tanks and reservoirs, treatment plants, and all other facilities used or useful for the supply and distribution of water, and to acquire and operate any of such facilities, and to contract for the service of any such facilities owned by the adjacent municipality or for the use of District facilities by the municipality; and
- (f) To borrow money, levy taxes and special assessments, issue bonds, and exercise the power of eminent domain in the same manner as municipalities of the first class in this state, provided, however, that the Board of Trustees shall not have the power of eminent domain over existing sewage and water facilities; and
- (g) To acquire by purchase, gift, condemnation, or other lawful means and may hold any real or personal property reasonably necessary for the conduct of its business, or may lease such property for its proper purposes, and may sell, lease, or otherwise dispose of such property when not needed by the District; and

(h) To own, construct, reconstruct, improve, purchase, condemn, lease, receive by gift, or otherwise acquire, hold, extend, manage, use, or operate any 'works,' as defined by SDCL § 46A-9, any and every kind of property, personal or real, necessary, useful, or incident to such acquisition, extension, management, use, and operation, and may sell, mortgage, alienate, or otherwise dispose of such works or any part thereof only under the terms and subject to the conditions provided in SDCL §§ 46A-9-69 to 46A-9-72, inclusive; and

(i) To enter into any contract, lease, agreement, or arrangement with any state, county, municipality, district, governmental or public corporation or association, or with any person, firm, or corporation, public or private, or with the government of the United States or with any officer, department, bureau, or agency thereof or, with any corporation organized under federal law for the purpose of exercising or utilizing any one or more of the above enumerated powers or, for the sale, leasing, or otherwise furnishing or establishing of water rights, water supply, conveyance and distribution of water, water service, or water storage or, for the financing or payment of the cost and expenses incident to the construction, acquisition, or operation of such works or incident to any obligation or liability entered into or incurred by such district; and to pass and implement all necessary ordinances, resolutions, orders and regulations for the proper management and conduct of the business of the District in accordance with current law.

SECTION 2. Election and appointment Board of Trustees.

(A) The District shall be governed by a Board of Trustees elected at large as provided by SDCL § 34A-5. To be eligible for office, each Trustee shall reside in the District pursuant to SDCL § 34A-5-21.2. The Board of Trustees shall consist of an odd number of Trustees and shall have at least three (3) but not more than Five (5) Trustees, as pursuant to SDCL 34A-5-14.1.

(B) The Board of Trustees may by resolution submit to the voters the question of whether the number of trustees shall be increased to five at a special election called for that purpose, or at the next regular election.

SECTION 3. Tenure of Trustee(s).

There shall be elected at the first election of the District three (3) Trustees at large, who shall respectively hold their offices, one (1) for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years. The person having the highest number of votes shall serve for a term of three (3) years. The person receiving the second highest number of votes shall serve for a term of two (2) years and the person receiving the third (3) highest number of votes shall serve for a term of one (1) year, and such persons shall be declared elected to such offices. Thereafter, there shall be elected annually one (1) Trustee for a term of three (3) years. The inspectors shall subscribe and certify a statement of the persons elected to fill the offices of Trustees in the District and file the same with the county auditor within ten (10) days after the date of such election.

SECTION 4. Qualifications

No person shall be eligible to become or remain a Trustee or to hold any position of trust in the district who:

(a) Is not a resident of the Sanitary district he or she represents; or

(b)

? - Conflict of Interest ??
Is directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or cost of which is paid by the district, nor in the purchase of any real, personal or other property belonging to the district that shall be sold for taxes or assessments, or by virtue of legal process at the suit of said district. However, a member of the Board of Trustees of the District may contract with the District, if the consideration consists of three thousand dollars or less per year and if the consideration for such supplies or services is reasonable and just.

(c) Upon establishment of the fact that a Trustee is holding office in violation of any of the foregoing provisions, the Board of Trustees shall consider a resolution to petition to remove such Trustee from office under the provisions of S.D.C.L. Ch. 3-17. If a removal is completed pursuant to applicable law, the seat of such Trustee shall be treated as a vacant seat on the Board of Trustees and the President of the Board shall proceed under Section 5 of this Article of these Bylaws. Nothing contained in this section shall affect in any manner whatsoever the validity of any action taken at any meeting of the Board of Trustees.

(d) Confidentiality (add)

SECTION 5. Vacancies.

Vacancies may occur from time to time on the Board of Trustees, either by the natural expiration of the term for which a Trustee is serving the Board or by resignation of an existing Trustee or by removal of such Trustee by the Board of Trustees. Procedure for filling of vacancies on the Board of Trustees shall take place as proscribed in these Bylaws and pursuant to current law as follows:

(a) By Expiration of Term.

(i) Notice. Once a vacancy by expiration of term on the Board of Trustees is anticipated, the President of the Board of Trustees shall direct the Secretary of the District to prepare and publish a notice in the official newspaper of the District setting forth the vacancies which will occur by natural termination of the term(s) of office of such Trustee position(s). The notice shall also state the time and place where nominating petitions may be filed for such offices. The notice shall be published once each week for two (2) consecutive weeks. The first (1st) notice shall be published not less than thirty (30) days prior to the deadline for filing nominating petitions, which shall be set by the President of the Board of Trustees upon anticipation of an upcoming vacancy.

(ii) Nomination Procedure.

The Trustee(s) to be elected to fill a vacancies by natural expiration of term shall be nominated by filing with the district clerk, not more than forty (40) nor less than twenty (20) days before any subsequent annual election, nomination petitions for the office(s) of Trustee(s). The certificates shall be in writing and shall contain the candidate's name, residence, business address and the Trustee position for which the candidate is nominated. Such petitions shall be signed by registered voters in the District in compliance with SDCL § 9-13-9 or current

applicable law and shall be signed by at least twenty-five qualified voters or five percent of the qualified voters, whichever is less. Any resident District voter may sign a nomination petition, including existing Trustees of the Board.

(iii) Election Date.

The District shall hold the annual election of Trustees on any Tuesday in the month following the anniversary date of the first election of Trustees. The Board of Trustees shall designate a location in the District or suitable location where the election shall be held, and if appropriate, such election may take place at the District office.

(iv) Election Notice.

Notice of Trustee election shall be given by publication thereof once each week for two (2) successive weeks, the first (1st) publication may not be less than ten (10) days prior to such election. A facsimile of the official ballot shall be published in the calendar week prior to each election. Such notice shall be published in the official newspaper of the District.

(v) Election Procedure.

The annual election, whether or not it is held in conjunction with the annual municipal election, shall be conducted in accordance with the municipal election laws pursuant to SDCL § 9-13, except as further provided in these Bylaws and proscribed by law.

(vi) Uncontested Election.

No election shall be held wherein there are no opposing nominees for an expiring Trustee position. In case there are no opposing nominees, the auditor or clerk shall issue certificates of election to the nominee, if any, in the same manner as to successful nominees after election. If the incumbent Trustee should be elected, he or she shall continue in office and not be obliged again to qualify.

(vii) Successor Taking Office.

The elected and qualified successor Trustee(s) shall begin his or her term in correspondence with the beginning of the first day of the District's fiscal year, which next follows the election.

(b) By Resignation or Removal.

Once a vacancy by resignation or removal exists on the Board of Trustees, the President of the Board of Trustees shall accept nominations for a Replacement Trustee from the Board of Trustees at the meeting following the date the vacancy occurred. Once the nominations have been voted to be closed, vote of the remaining Trustees on the Board shall be taken on the nominated Replacement Trustees. The nominated Replacement Trustee who receives a majority of the votes of the remaining Trustees, shall serve until the natural expiration of the term for which he or she has been elected. If, after such election, no nominated Replacement Trustee received a majority of the votes of the remaining Trustees, the two (2) nominated Replacement Trustees receiving the most votes shall hold a run-off election. The nominated Replacement Trustee who then receives a majority of votes shall be elected. The Replacement Trustee and shall begin serving immediately. At such time as the natural term for which the Replacement Trustee has been elected expires, a Trustee shall be elected to fill the expired Trustee position in accordance with these Bylaws and pursuant to current law. Nominating petitions may then be filed to fill the vacancies which will occur by termination of the terms of office of the Trustee in accordance with these Bylaws and pursuant to current law.

SECTION 6. Compensation.

Any member of the Board of Trustees may receive travel and subsistence expense in accordance with the rules promulgated by the state board of finance. In addition, per diem, not to exceed the maximum allowed by state law, may be paid each member for each day of actual service for attending meetings, hearings or investigations of the District Board. Travel, subsistence and per-diem shall be paid on vouchers duly verified and approved according to the rules promulgated by the board of finance. The foregoing shall be subject to the discretion of the Board.

SECTION 7. Executive Committee and Ad Hoc Committees.

The Board of Trustees may appoint an Executive Committee or a special Committee of not less than three (3) members of the Board, one of whom shall be the President of the Board. Such committee(s) shall not have any authority either (a) to fill any vacancy either in any elective office or in its own membership or in the Board of Trustees, or (b) to employ any Manager for the District, or (c) to call any meeting of the Board, or (d) to meet or otherwise to act at any time when the Board of Trustees are holding a meeting, or (e) to do anything which is required by law to be done only by the Board of Trustees and which said Board cannot lawfully delegate to such a committee, but said committee shall have such other powers and duties as the Board of Trustees may delegate to or require of it.

SECTION 8. Monthly Meeting.

The Board of Trustees shall hold monthly meetings as a matter of course. The monthly meeting shall be held, subject to the discretion of the Board of Trustees, on the second Wednesday of every month throughout the year. These meetings shall be held, subject to the discretion of the Board of Trustees, at an appropriate and adequate facility. Any meeting may be held by teleconference or internet as permitted by and subject to the requirements of S.D.C.L. Ch. 1-25. It shall be the responsibility of the Board of Trustees to make adequate plans and preparations for such meetings. In the event that the date, time or place should work an inconvenience to any member of the Board or Officer or Manager of the District, the Board, subject to its discretion, may vary the date, time or location of such monthly meeting to an acceptable alternative. Any change in date must be made in 5 to 7 days to give adequate time to notify the public, with the exception of weather, natural disaster or local emergency. Failure to hold the monthly meeting at the designated time shall not work a forfeiture or dissolution of the District.

SECTION 9. Special Meetings.

Special meetings of the Board of Trustees may be called by resolution of the Board of Trustees, or upon a written request signed by any three (3) Trustees or by the President of the Board, and it shall thereupon be the duty of the Secretary to cause notice of such meeting to be given as hereinafter provided. Special meetings of the Board may be held at any place specified in the notice of the special meeting.

~~SECTION 10. Notice of Board of Trustees Meetings.~~

Written or printed notice stating the place, day, hour and agenda of the meeting and, in case of a special meeting at which business requiring special notice is to be transacted, the purposes for which the meeting is called, shall be delivered not less than five (5) days, not more than twenty-one (21) days before the date of the meeting. Either personally or by mail, by or at the direction of the district clerk, or by the Trustees calling the meeting, to each Trustee. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the Trustee at his or her address as it appears on the records of the District, with postage thereon prepaid. The failure of any Trustee to receive notice of a monthly or special meeting of the Board shall not invalidate any action, which may be taken by the members at any such meeting, and presence at such a meeting shall be considered a waiver of such notice. The agenda for the meeting must be posted at the meeting location at least three (3) business days prior to the date of the meeting.

SECTION 11. Quorum

Two-thirds of the Trustees present at a meeting shall constitute a quorum. If less than a quorum is present at any meeting, a majority of those present may adjourn the meeting from time to time without further notice. The present members of the board may proceed with the meeting but are prohibited from voting or passing on anything before the board. The act of the majority of the Trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees. The minutes of each meeting shall contain a list of the Trustees present, and such list shall be filed at the principal office of the District. The Clerk or his or her designee at the discretion of the Board of Trustees shall perform tape-recording of the monthly or special meeting.

SECTION 12. Voting.

Each Trustee shall be entitled to only one (1) vote upon each matter submitted to a vote at a meeting of the Board of Trustees. All questions shall be decided by a vote of a majority of the Board of Trustees voting thereon present at the meeting.

SECTION 13. Order of Business.

- a) The order of business at the Board of Trustees monthly meetings, and, so far as possible, at all other meetings of the Board, shall be essentially as follows:
- b) ~~Roll Call~~ and Report on the number of Trustees present in person in order to determine the existence of a quorum.
- c) ~~Approval of agenda.~~
- * d) ~~Reading of unapproved minutes of previous meetings of the Board and the taking of necessary action thereon.~~
- e) ~~Reading of treasurer's report~~ necessary action taken
- f) Presentation and consideration of reports of officers, trustees, and committees.
- g) Election of officers.
- h) ~~Executive session (as needed).~~
- i) Unfinished business.
- j) New business.
- k) Public comment.
- l) Adjournment.

SECTION 14. Office of District & Record of Proceedings.

The Board of Trustees shall establish a permanent mailing address for the District and shall maintain a full, complete, accurate and itemized account of all of its proceedings, ordinances, orders, resolutions and regulations.

ARTICLE IV. Officers

SECTION 1. Number of Officers.

The officers of the District shall be a President, Vice-President, Secretary, Treasurer, and the Board of Trustees may determine such other officers as needed from time to time. The same person may not hold the offices of Secretary and Treasurer.

SECTION 2. Election and Term of Office

The Officers shall be elected by ballot annually by and from the Board of Trustees at the last meeting of the Board of Trustees before the close of the fiscal year. If the election of Officers shall not be at such meeting, such election shall be held as soon thereafter as conveniently may be. Each Officer shall hold office for approximately one (1) year until the first (1st) day of the fiscal year following such officer's election, or until his or her successor shall have been elected and shall have qualified. The Board of Trustees for the unexpired portion of the term shall fill a vacancy in any office.

SECTION 3. Removal of Officers and Agents by Trustees.

Any Officer or agent elected by the District or appointed by the Board of Trustees may be removed by the Board of Trustees whenever in its judgment the best interest of the District will be served thereby. In addition any resident of the District may bring charges against an Officer, and by filing with the Secretary such charges in writing, together with a petition signed by ten percent (10%) of the registered voters of the District, may petition for the removal of such Officer. The Officer against whom such charges have been brought shall be informed in writing of the charges at least ten (10) days prior to the Board of Trustees meeting at which the charges are to be considered;

shall have an opportunity at the meeting to be heard in person or by counsel and to present evidence in respect of the charges; and the person or persons bringing the charges against him shall have the same opportunity. In the event the Board of Trustees does not remove such Officer or agent, the question of his or her removal shall be considered and voted upon at the next meeting of the Board of Trustees.

SECTION 4. President of the Board of Trustees.

The President shall:

- (a) Preside over all meetings of the Board and to call all special meetings of the Board when he or she or a majority of the Board deems such meeting necessary and, in case the President should fail or refuse to call such meeting or meetings, then such meeting or meetings may be called by a majority of the Board; and
- (b) Be the principal executive officer of the District and, unless otherwise determined by act of the Board of Trustees; and
- (c) Sign, in the name of the District, any deeds, mortgages, deeds of trust, notes, bonds, contract, or other instruments authorized by the Board of Trustees to be executed except in cases in which the signing and execution thereof shall be expressly delegated by the Board of Trustees or by these Bylaws to some other Officer or agent of the District, or shall be required by law to be otherwise signed or executed; and
- (d) In general, perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Trustees from time to time.

SECTION 5. Vice-President of the Board of Trustees.

In the absence of the President, or in the event of his inability or refusal to act, the Vice-President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions on the President. The Vice-President shall also perform such duties as from time to time may be assigned to him or her by the Board of Trustees.

SECTION 6. ~~Secretary of the District~~

The Secretary shall:

- a) Keep the ~~minutes~~ of the meetings of the Board of Trustees in one or more books provided for that purpose and shall make tape-recordings of such meetings at the direction of the Board of Trustees; and
- b) See that ~~all notices are duly given in accordance with these Bylaws~~ or as required by law; and
- c) Be ~~custodian of the District records and of the seal of the District and have the seal of the District~~ to all documents bearing the name of the District, the execution of which on behalf of the District under its seal is duly authorized in accordance with the provision of these Bylaws; and
- d) Keep ~~a register of the names and post office addresses of all customers and residents of the District;~~
- e) Have ~~general charge of the books of the District and shall act as clerk of the District;~~
- f) ~~Reading of budget report that is to be sent to the county, at the August meeting~~

- g) ~~Keep on file at all times a complete copy of the Articles of Incorporation and Bylaws of the District containing all amendments thereto, which copy shall always be open to the inspection of any Trustee or customer of the District; and~~
- h) ~~Send one certified copy, immediately after completion of a budget and adoption of special assessments by a sanitary district board of trustees, but not later than the first of September, of such budget to the county auditors of the affected counties and to the state secretary of revenue; and~~
- i) In general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the Board of Trustees.

SECTION 7. ~~Treasurer of the District.~~

The Treasurer shall:

- (a) Have charge and custody of and be responsible for funds and securities of the District; and
- (b) Be responsible for the receipt of and the issuance of receipts for all moneys due and payable to the District and for the deposit of all such moneys in the name of the District in such bank or banks as shall be selected in accordance with the provisions of these Bylaws; and
- (c) In general, perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him or her by the Board of Trustees.
- (d) Present to the board all bills for approval of payment, before disbursements are made.

SECTION 8. Manager of the District.

The Board of Trustees may appoint a Manager who may be a resident of the area served by the District. The Manager shall be responsible for the day-to-day operation of the District and shall supervise and direct any agents and employees of the District. Further, the Manager shall perform such duties and shall exercise such authority as the Board of Trustees may from time to time vest in him and shall report on a monthly basis to the Board of Trustees. The Manager shall have the authority to authorize and direct any service and/or repair of the systems owned by the District in a reasonable and prudent manner. The Manager, depending on the severity of the situation, shall provide reasonable notice to any customer who might be affected by service and repair of the District's systems and may allow such customer to arrange for the repair or service themselves depending on the necessity of such service or repair. Final approval of such repair and/or service shall be subject to the inspection and approval of the Manager acting upon behalf of the District.

SECTION 9. Bonds of Officers, Agents and Employees.

The Treasurer and any other Officer, agent or employee of the District charged with responsibility for the custody of any of its funds shall give bond in such sum and with such surety as the Board of Trustees shall determine. The Board of Trustees in its discretion may also require any other Officer, agent, or employee of the District to give bond in such amount and with such surety as it shall determine.

SECTION 10. Compensation.

The powers, special meetings, regular meetings, duties and compensation of officers, agents, and employees shall be fixed by the Board of Trustees, subject to the provision of these Bylaws with respect to compensation for Trustees and Officers of the District.

SECTION 11. Reports.

At the direction of the Board of Trustees, the Officers, appointed agents and employees of the District shall submit, at each monthly meeting of the Board of Trustees, reports covering the business of the District for the previous month. Such reports shall set forth the condition of the District at the end of such month. An audit of the District financial statements and ledgers shall be made at least annually by a certified public accountant to be appointed and designated by the Board of Trustees.

ARTICLE V

Contracts, Loans, Checks, and Deposits

SECTION 1. Contracts.

The Board of Trustees may authorize any Officer or Officers, Agent or Agents to enter into any contract, or execute and deliver any instrument, in the name of, and on behalf of, the District, and such authority may be general or confined to specific instances.

SECTION 2. Loans.

No loans shall be contracted on behalf of the District, and no evidences of indebtedness shall be issued in its name, unless authorized by a resolution of the Board of Trustees. Such authority may be general or confined to specific instances.

SECTION 3. Checks, Drafts, Etc.

All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the District, shall be signed by such Officer or Officers, Agent or Agents of the District and in such manner as shall from time to time be determined by the Board of Trustees.

SECTION 4. Deposits.

All funds of the District not otherwise employed shall be deposited from time to time to the credit of the District in such banks, trust companies, or other depositories as the Board of Trustees may select.

ARTICLE VI.
General Provisions

SECTION 1. District Seal

The corporate seal of the District shall be in the form of a circle and shall have inscribed thereon the name of the District and the words "Corporate Seal, South Dakota."

SECTION 2. Policies and Procedures of the District.

The Board of Trustees shall have the power to set policies and adopt procedures not inconsistent with law, the Articles of Incorporation or these Bylaws. Further, such policies and procedures set and followed in the past or present may serve as guidance for said Board in dealing with and addressing the operational and decision-making aspects of Board business.

SECTION 3. Rule and Regulation-Making Authority.

The Board of Trustees shall have the power to make and adopt rules and regulations, not inconsistent with law, the Articles of Incorporation or these Bylaws as may be deemed advisable in regard to the use of water, disposal of sewage, and associated connections to the mains of the District and management of the business and affairs of the District.

SECTION 4. Reserve Fund

This District may establish and maintain a reserve fund for the purpose of providing a reserve against which this District may charge income taxes, losses, and other charges, which properly could be charged against the surplus of a business corporation for profit.

SECTION 5. Dissolution of District

A majority of the qualified voters of the District may petition a court of competent jurisdiction for the dissolution of the District. Dissolution proceedings shall, when not in conflict with SDCL Ch. 34A-5, conform to the provisions for dissolution of municipalities pursuant to SDCL Ch. 9-6.

SECTION 6. Fiscal Year

~~The fiscal year of this District shall commence on the first day of January, in each year and shall end on the last day of December each year.~~

SECTION 7. Amendment of Bylaws

These Bylaws may be amended as provided by law.

SECTION 8. Construction.

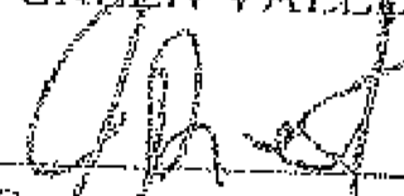
Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these Bylaws shall be invalid or inoperative, then, so far as is reasonable and possible:

- (a) The remainder of these Bylaws shall be valid and operative: and
- (b) These By-Laws from here on supersedes, make null and void, any and all previous by-laws or documents pretending to any former bylaws.

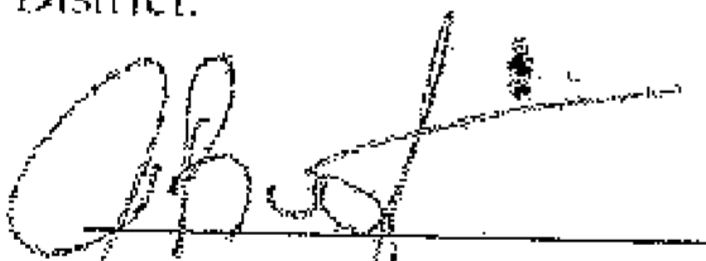
KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, being the Trustees, elected and qualified, representing the District, present for the regular meeting held on this 16 of April 2021, of Green Valley Sanitary District hereby assent to the foregoing Amended Bylaws of this District, a South Dakota Sanitary District.

In Witness Whereof, we have hereunto subscribed our names this 16 day of April, 2021

GREEN VALLEY SANITARY DISTRICT


By: Jason Reitz
Its: President

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned President of the Board of Trustees and the Secretary of Green Valley Sanitary District, do hereby certify that the foregoing Bylaws were duly adopted as the Bylaws of Green Valley Sanitary District a South Dakota Sanitary District, on the 16 day of April, 2021 at a regular meeting of the Board of Trustees, and that the same do now constitute the Bylaws of said District.


By: Jason Reitz
Its: President

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned President of the Board of Trustees and the Secretary of Green Valley Sanitary District, do hereby certify that the foregoing Bylaws were duly adopted as the Bylaws of Green Valley Sanitary District a South Dakota Sanitary District, on the 16 day of April, 2021 January at a regular meeting of the Board of Trustees, and that the same do now constitute the Bylaws of said District.


By: Lorretta Jangula
Its: Secretary

ACKNOWLEDGEMENT BY INDIVIDUAL

STATE OF South Dakota)
COUNTY OF Pennington) ss.

On the 16 day of April, 2021, before me personally
appeared Jason Reitz and Loretta Jurgula
to me known to be the person/persons described in and who executed the foregoing instrument,
and acknowledged that ~~he~~ she executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in
the County and State aforesaid, the day and year first above written.

My term expires: January 5, 2022

Kayla Holzer
Notary Public

