

TANEY COUNTY REGIONAL SEWER DISTRICT

6733 E. STATE HIGHWAY 76, KIRBYVILLE, MO 65679

417-544-0655 / TCRSD.ORG

BYLAWS

AS AMENDED

Article I. MISSION

The Taney County Regional Sewer District exists to protect and improve the drinking water, lakes, and streams of Taney County, Missouri.

Article II. STRATEGY

The Taney County Regional Sewer District accomplishes its mission by successfully providing regional wastewater collection and treatment services, completing sewer extensions and treatment facility regionalization projects, and modernizing existing infrastructure, all while efficiently utilizing Taney County Sewer Sales Tax Funds and user revenues; and assisting and serving its customers, county tax payers, visitors, and local partners.

Article III. LEGAL AUTHORITY

The Taney County Regional Sewer District (the "District") derives its legal authority from the Revised Statutes of Missouri (RSMo), specifically Sections 204.250 through 204.470. These statutes provide the District with the necessary powers to construct, operate, maintain, and upgrade wastewater collection and treatment systems throughout the unincorporated areas of Taney County, Missouri. By doing so, the District aims to protect public health, preserve water quality, and prevent waterborne diseases. Additionally, these statutes enable the District to engage in long-range planning and wastewater quality management to ensure the well-being of both residents and the environment within the County, as well as collaborate with local municipalities to support the improvement of their wastewater infrastructure.

The Taney County Regional Sewer District is empowered by law to establish rules and regulations governing the installation, management, and operation of wastewater collection and

treatment systems serving residential and commercial structures within the boundaries of the District. The Taney County Regional Sewer District shall have all of the powers necessary and convenient to provide for the construction, operation and maintenance of its collection and treatment facilities and the administration and enforcement of its resolutions, policies, and regulations.

In accordance with the provisions set forth in RSMo Sections 204.250 through 204.470, the District has the power to acquire property, levy taxes, issue bonds, establish service charges, and enforce rules and regulations necessary to fulfill its mission. The District is governed by a Board of Trustees, which oversees the management and administration of the District, ensuring transparency, accountability, and adherence to all applicable laws and regulations.

By operating under the legal authority granted by RSMo Sections 204.250 through 204.470, the Taney County Regional Sewer District is committed to fulfilling its purpose and mission in a responsible, efficient, and sustainable manner, contributing to the overall well-being of the community and the environment.

Article IV. MEMBERSHIP OF THE BOARD

Revised Statutes of Missouri 204.300 mandate membership as follows:

The governing body of the county, by resolution, order, or ordinance, shall appoint five trustees, the majority of who shall reside within the boundaries of the District. The term of each board member shall be five years.

The trustees may be paid reasonable compensation by the District for their services; except that, any compensation schedule shall be approved by resolution, order, or ordinance of the governing body of the county. Any and all expenses incurred in the performance of their duties shall be reimbursed by the district.

Article V. OFFICERS

The Board of Trustees during the first meeting in January of each year shall elect a Chairperson, Vice Chairperson, Treasurer, and Secretary who shall serve for one year.

As required in section 204.300 RSMo the Board of Trustees shall select a treasurer, who may be either a member of the Board of Trustees or another qualified individual. The treasurer

selected by the board shall give such bond as may be required by the Board of Trustees. The officers of the District shall have the following duties and responsibilities:

CHAIRPERSON – The Chairperson of the Board shall preside at all meetings of the Board; shall have the duties normally conferred by parliamentary usage of this office; shall sign official notices and certificates; shall call special meetings of the Board; and shall represent the Board in official or unofficial capacities as the need shall arise.

VICE CHAIRPERSON – The Vice-Chairperson of the Board shall assume the duties of the Chairperson whenever the Chairperson is unable to perform such duties or whenever the Chairperson shall disqualify himself or herself from serving on a temporary basis.

SECRETARY – The Secretary shall be responsible for the minutes and records of the Board of Trustees; preparation of agenda of regular and special meetings; notification of meetings to Board members and news media; attendance to the correspondence of the Board; and such other duties as are normally carried out by a secretary. The administrative staff of the District shall assist the Secretary of the Board.

TREASURER – The Treasurer of the District shall provide the Board with an accounting of all funds of the District. The Treasurer shall be responsible for the preparation of budgets; prompt payment of principal and interest on any bonds or loans; timely payment of accounts; and proper investment of those funds of the District not needed for day-to-day operations. The administrative staff of the District shall assist the Treasurer. The Treasurer may be a member of the Board or another qualified individual.

VACANCIES – Vacancies on the Board shall be filled by appointment by the County Commission. If the County Commission fails to appoint a trustee to fill a vacancy on the Board within sixty days after receiving written notice from the District of the existence of such vacancy, then the vacancy may be filled by a majority of the remaining members then in office of the Board of Trustees. When a vacancy occurs in an officer position, it shall be filled by nomination and election of the remaining Board members.

REMOVAL FROM OFFICE – Any officer may be removed from office by a majority of the membership of the Board whenever, in the Board's judgment, the best interest of the District will be served thereby.

Article VI. CONFLICT OF INTEREST

Any members having a direct conflict of interest on any business coming before the Board shall excuse him/herself from the meeting and shall not discuss nor vote on that matter.

Article VII. EMPLOYEES

The Board of Trustees shall have the power to employ and fix the compensation of such staff as may be necessary to discharge the business and purposes of the District. The Board of Trustees hereby authorizes and directs the District Administrator, as chief executive officer of the District, to conduct business and implement and oversee the operations and projects of the District including the administration of all employees and furthermore delegates sole authority to the District Administrator for the hiring and termination of District employees.

Article VIII. PROFESSIONAL ENGINEERING SERVICES

The Board may employ a professional engineer registered in the State of Missouri as chief engineer for the District under such terms and conditions as may be necessary to discharge the business and purposes of the District.

The Board will follow state statutes when procuring professional services from outside consulting firms.

Article IX. MEETINGS

All meetings of the Board of Trustees, except closed meetings, shall be open to the public. All official meetings of the Board of Trustees, with the exception of special meetings or work sessions, shall be held at such time and place as is determined by the Board of Trustees annually. If a conflict should arise with those dates, the chairperson shall decide when the official meeting date is to be rescheduled.

All regular meetings include a "Public Comment" section. People wishing to address the Board will be allowed five (5) minutes. However, the Board will not be able to "act" on any matter during the "Public Comment" section of the meeting.

The Board will allow members to participate electronically in meetings where other Board members are physically present, and the Board may hold meetings where all Board

members participate electronically. This participation may occur by telephone, video conference or other electronic means. Board members may not simply vote electronically but must: 1) be connected with the meeting throughout the discussion of business; 2) be able to hear or receive the same information as Board members physically present; and 3) participate in the discussion.

Any Board members participating electronically will be considered present. The members shall be counted present for the purpose of establishing a quorum. If a Board member participates in a meeting electronically, the Board secretary will document this fact in the minutes.

Board members who wish to participate in a meeting electronically must notify the Board Chairman or District Administrator as early as possible. The District Administrator will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact and the public may observe or hear the comments made in open session. The District Administrator will take measures to verify the identity of any remotely located participants if necessary. Board members participating electronically in a closed-session meeting must take measures to protect the confidentiality of the meeting and ensure that other persons will not overhear the discussion and votes. If the Board is not confident that appropriate measures have been or will be taken, the Board may refuse to allow a Board member to participate electronically in closed session.

Article X. SPECIAL MEETINGS

Only the Chairperson, or someone appointed by the Chairperson may call a special meeting, study session or work session.

Article XI. PARLIAMENTARY PROCEDURE, VOTING RIGHTS

The latest edition of Robert's Rules of Order as revised shall be followed for all parliamentary procedures. One vote each shall be the right of the five (5) members of the Board. No one else has a vote.

No official business can be conducted at any meeting without a quorum being represented. A quorum shall be defined as three (3) or more members in attendance.

Article XII. ATTENDANCE

All members shall make every effort to attend all official business meetings. If any member misses three consecutive meetings, the Board may ask for that member's voluntary resignation for the benefit of the Sewer District. Any member not able to attend the meeting shall notify the Chairperson or Administrator in sufficient time prior to the meeting.

Article XIII. AGENDA REQUESTS

Persons having specific matters to bring before the Board shall be accommodated in the following manner:

1. Anyone wishing to appear before the Board shall submit an Agenda Request Form to the Secretary of the Board.
2. Agenda Request Forms shall be submitted no later than noon on Tuesday of the week before the meeting at which the person wishes to address the Board.
3. Agenda Requests shall contain the name, address, telephone number, and email address of the person making the request, and shall state the precise subject of the request. Any supporting documentation shall be attached to the request.
4. Agenda Requests, including supporting documentation, shall be included in the informational packets prepared for the Board Members.

Appearance before the Board:

1. Persons submitting Agenda Request Forms shall be scheduled to appear during that part of the meeting set aside for the particular request. Deviations from the scheduled appearance time may, for good cause shown, be allowed by a majority vote of the Board members present at the meeting at which the appearance is scheduled.
2. Agenda Requests will not be considered unless the person submitting the request, or his representative, appears at the meeting. If the person submitting the request fails to appear, the Board shall not consider the request, but shall, by majority vote of the members present, either continue the matter to the next meeting, or require the person to resubmit the request.

3. Each Agenda Request shall be limited to five (5) minutes total discussion time. Should the topic extend beyond this time limit, discussions may be suspended and resumed later in the meeting upon approval of the Board.
4. This suspension and resumption may be overridden by a majority vote of the Board Members present at the meeting.

The Secretary to the Board of Trustees shall cause the following language to appear on each copy of the Notice of Meeting and the Agenda of the Board of the Trustees:

“Any person wishing to specifically address the Board of Trustees must submit an Agenda Request Form describing their reason for appearance before the Board. Agenda Request Forms are available in the office of the Taney County Regional Sewer District and must be submitted by noon on Tuesday of the week before the meeting at which they wish to appear. Each person addressing the Board shall be limited to five (5) minutes total discussion time. Should the topic extend beyond this time limit, discussion shall be suspended and resumed later in the meeting.”

Article XIV. OFFICIAL YEAR

The calendar year shall be the official year for annual budgeting, financial reporting, and all other transactions.

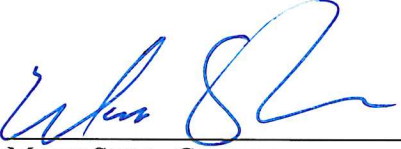
Article XV. AMENDMENTS

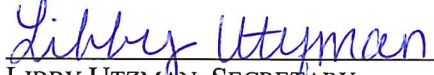
At any meeting of the Board of Trustees, when there is a quorum, these By-Laws may be amended by a two-thirds vote of the membership.

Article XVI. CONSTRUCTION DAMAGE COMPLAINTS

Property owners wishing to address the Board regarding construction damage must submit an Agenda Request, as set forth in Article XIII. The request must state the exact nature of the damage, the address of the property allegedly damaged, and the date the damage is alleged to have occurred. The Board will hear each complaint and respond to the complaint within twenty (20) days as to what steps have been or may be taken to resolve the matter.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Taney County Regional Sewer District that these amended Bylaws are adopted this 17th day of September, 2024.

By: 
MARK STILL, CHAIRMAN

Attest: 
LIBBY UTZMAN, SECRETARY