

*"The Green Spot of the Columbia Basin"*



# South Columbia Basin Irrigation District

OFFICE: 1135 E. HILLSBORO, SUITE A

TELEPHONE 509/547-1735, FAX 509/547-8669 • P.O. BOX 1006 • PASCO, WASHINGTON 99301

## RESOLUTION NO. S-20-7

Jan 9, 2020

### **AMENDED BYLAWS OF SOUTH COLUMBIA BASIN IRRIGATION DISTRICT**

#### **ARTICLE I POWER AND AUTHORITY OF THE DISTRICT**

The South Columbia Basin Irrigation District ("SCBID" or "District") is organized, formed, and governed by Title 87 Revised Code of Washington and other pertinent state and federal statutes and regulations. SCBID is established for the purpose of delivering irrigation water and for the operation and maintenance of project facilities, including hydroelectric power generation and transmission facilities, together with such additionally enumerated powers under RCW 87.03.015, or as may be amended.

#### **ARTICLE II DIRECTORS AND OFFICERS**

1. There shall be five (5) Directors whose term shall be three (3) years. Elections shall be noticed and conducted in accordance with Chapter 87.03 RCW and as provided in these Bylaws. The Directors of the District shall organize as a Board of Directors and shall elect a President from among their number. Further, the Board shall appoint a Secretary/Manager, who shall keep a record of Board proceedings, as well as an Assistant Secretary/Treasurer.

2. The Board shall have the power, and it shall be its duty, to adopt a seal of the District, to manage and conduct the business and affairs of the District, to make and execute all necessary contracts, to employ and appoint such agents, officers, and employees as may be necessary and prescribe their duties, and to establish equitable Bylaws and Regulations for the government and management of the District, and for the equitable distribution of water to the lands within the District.

3. The Directors shall be elected by the qualified voters of the District at a regular annual election to be held on the second Tuesday of December of each year, and the term of each Director shall be three years from the first Tuesday of January following his or her election. The Directors elected at the District election shall serve until their successors are elected and qualified.

4. A Director vacancy shall be filled by appointment by the Board of County Commissioners of Franklin County. At the next annual election occurring thirty days or more after the date of the appointment, a successor Director shall be elected and shall take office on the first Tuesday in January following and shall serve for the remainder of the unexpired term.

5. Directors shall duly qualify for their duties as shall be required by the laws of the state of Washington.

### **ARTICLE III BOARD MEETINGS / PRINCIPAL PLACE OF BUSINESS**

1. The regular monthly meeting of the SCBID Board of Directors (the "Board") shall be the second Thursday of every month at nine o'clock (9:00) a.m. and shall be held at the principal place of business and main office of the District, located at 1135 East Hillsboro, Suite A, Pasco, County of Franklin, State of Washington, or at such other times and places as shall be designated by the Board.

2. Special meetings of the Board shall be called and conducted in the manner required by the laws of the State of Washington. The President may order special meetings of the Board whenever he/she may deem it necessary. Additionally, a majority of the Directors may order special meetings at any time deemed necessary on failure of the President to act. Notice of the special meeting shall be made by the person(s) calling such meeting by delivering written notice personally, by mail, by fax, or by electronic mail to each Director. Written notice shall be deemed waived whenever a Director has submitted a written waiver of notice with the Secretary/Manager prior to the meeting, or a Director is present at the time the meeting convenes.

3. All Board meetings shall be public, except where any meeting or portion thereof may be conducted in executive session. All records of the Board shall be open to inspection at the District main office during regular office hours, from 8:00 a.m. to 5:00 p.m. Monday through Friday, except where such records, or portions thereof, are exempt from disclosure.

4. A majority of the Directors shall constitute a quorum for the transaction of business, and in all matters requiring action by the Board there shall be a concurrence of at least a majority of the Directors. At the discretion of the President, a Board member may participate by telephone or other electronic means when unable to attend in person.

### **ARTICLE IV DUTIES OF OFFICERS**

1. It shall be the duty of the President to preside at all meetings of the Directors. He/she shall also perform such other duties as may from time to time be prescribed and required by the Board, and such additional duties as usually devolve upon the president or senior officer of a board of directors.

2. The Secretary/Manager shall be present at all Board meetings, unless excused, and shall keep a full record of all proceedings of the Board. He/she shall issue all calls for meetings, prepare the agenda for the meetings with input from the Board President, issue call for elections, and supervise the same. The Secretary/Manager shall, in accordance with the laws of the state, make up and present to the Board the assessment roll of said District, and other charges to be collected from each landowner within the District and present said assessment roll fully completed and duly certified to the Assistant Secretary/Treasurer of the District.

3. In the absence of the Secretary/Manager, the Assistant Secretary/Treasurer shall assume the duties relating to financial and policy issues, as well as Board issues for which the Secretary/Manager would otherwise be responsible.

4. Board-appointed officers shall duly qualify for their duties as shall be required by the laws of the state of Washington.

## **ARTICLE V VOTING RIGHTS OF LANDOWNERS**

1. All landowners within the District who are qualified to vote under the irrigation district laws of the State of Washington shall be recognized as an elector.

2. Voting rights shall be allocated as follows: one (1) vote for the first ten acres of District lands, or fraction thereof, and (1) one additional vote for all of said lands over ten acres.

3. Where District lands are held as community property, both spouses may vote if otherwise qualified. Further, an agent of any corporation or other legal entity qualified to vote in the District, duly authorized therefor in writing, may cast the appropriate number of votes on behalf of said corporation or entity. When so voting, he/she shall file with the election officers such written instrument of authority, and such officer or agent shall be deemed an elector.

## **ARTICLE VI DISTRICT LANDOWNER VOTING PROCEDURE**

1. Voting shall be by ballot, to be issued by the District's election board according to the number of votes an elector is entitled to cast. Ballots shall be of uniform size and quality, and for the election of Directors shall contain only the names of the candidates who have filed with the Secretary/Manager a declaration in writing of their candidacy, or a petition of nomination, not later than five o'clock p.m. on the first Monday in November. Ballots shall contain space for sticker voting and for writing in the name of an undeclared candidate. No ballots on any form other than the official form shall be received or counted.

2. A person filing a declaration of candidacy, or petition of nomination shall designate therein the position for which he or she is a candidate. The petition of nomination

shall be signed by at least ten qualified electors from the division of the District for which he or she is a candidate

3. If, after the expiration of the date for filing petitions of nomination, it appears that only one qualified candidate has been nominated thereby for each position to be filled, it shall not be necessary to hold an election and the Board at its next meeting shall declare such candidate elected as Director.

4. Fifteen (15) days prior to each District election, the Secretary/Manager shall cause notices thereof to be posted in three public places in each election precinct, of the time and place of holding the election. The Secretary/Manager shall also post a general notice of the same in the office of the Board. Prior to the time for posting the notices, the Board shall appoint for each precinct, from the electors thereof, one inspector and two judges, who shall constitute a Board of Election for the precinct.

5. Upon conclusion of each election, the counting and preservation of votes and certification of election results shall be conducted in the manner prescribed by Chapter 87.03 RCW.

## **ARTICLE VII ASSESSMENT ROLL**

1. Irrigation assessments shall be in proportion to the benefits accruing to the land assessed.

2. On or before the first Tuesday in November, the Secretary/Manager shall prepare an assessment roll and deliver it to the Board, which shall give notice thereof, and of the date and time the Board, acting as a board of equalization, will meet to equalize assessments, by publication in a newspaper published in each of the counties comprising the District. The time fixed for the meeting shall not be less than twenty nor more than thirty days from the first publication of the notice, and in the meantime the assessment roll must remain in the office of the Secretary/Manager for the inspection of all persons interested.

3. No assessment, costs, or interest may be considered invalid, illegal, or void because: the assessment roll has not been made, completed, or returned within the time required by law; the assessment roll contains an irregularity; or the subject property has been charged or listed in the assessment roll without name, or in any other name than that of the owner. No error or informality in the proceedings of any of the Board or its appointed officers in connection with the assessment may invalidate or in any other manner affect the assessment thereof.

4. District assessments as determined by the Secretary/Manager shall be equalized by the Board, sitting as the board of equalization in accordance with the provisions of RCW 87.03.255. The board of equalization may hear and determine such objections to the assessment roll as may come before it and may change or amend the same as may be just in the Board's discretion.

**ARTICLE VIII  
LANDOWNER RESPONSIBILITY FOR PAYMENT OF ASSESSMENTS**

1. On or before April 1st of each year, the Assistant Secretary/Treasurer will issue a statement of assessments due to all landowners.
2. Except when specifically authorized in writing by the Board, in advance, no partial payments of irrigation assessments will be accepted.
3. The entire irrigation assessment shall be deemed delinquent on May 1st of any calendar year if such assessment is not fully paid on or before April 30th of such year.
4. In no case will the District deliver irrigation water to any landowner who remains delinquent, in whole or in part, as to any assessment levied.
5. The District may commence statutory foreclosure proceedings for the collection of assessments delinquent for three or more years, in the manner provided under Chapter 87.06 RCW. In connection therewith, the District will make application for a judgment foreclosing all liens for delinquent assessments, costs and interest to the superior court of such county. The Assistant Secretary/Treasurer shall give notice of application for judgment foreclosing assessment liens and summons to affected landowners of record, occupants and other potentially interested parties, as indicated under duly conducted title searches of each delinquent parcel.

**ARTICLE IX  
BYLAWS EFFECTIVE DATE; AMENDMENTS**

1. These Amended Bylaws shall take effect upon adoption and shall be printed in convenient form to be available for the inspection and for distribution to parties requesting same. The copy of the Bylaws on file in the District main office shall be the official copy and shall be available for inspection during regular business hours.
2. The Board shall have the sole and exclusive authority to repeal, modify, and add to these Bylaws at any regular or properly called special meeting of the Board. Any such amendment, addition, or deletion shall be effective forthwith upon adoption by the Board and shall supersede previously circulated copies of the Bylaws.

**ARTICLE X  
BYLAWS, RULES, AND REGULATIONS**

In addition to the Bylaws, the Board may adopt rules, regulations, and policies as appropriate for the operation and governance of the District.

DULY ADOPTED during the regular meeting of the Board of Directors this 13<sup>th</sup> day of February 2020.



(SEAL)

BOARD OF DIRECTORS

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ATTEST:

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Secretary