

Bylaws of the Mosca-Hooper Conservation District

Section 1. Organization - Within thirty (30) days after the formal organization of this district the Board of Supervisors, hereinafter called the Board, shall meet at some convenient place within or adjacent to the district and shall proceed:

- a) To take office upon the taking of an oath and if required by the state or Board, the filing of a bond.
- b) To elect from its members a president, vice-president, secretary, and treasurer, provided that if in the opinion of the Board it is wise to do so, the offices of secretary and treasurer may be combined; and provided, further, that this section shall be subject to the provisions of Section 13 of these bylaws. A majority vote of the Board shall be necessary to a choice of an officer.
- c) To adopt a seal in accordance with the provisions of Section 35-70-108 of the Colorado Conservation District Act.
- d) To select some place within or adjacent to the district which shall thereafter, until the further action of the Board, be the principal place of business of the district.

Section 2. Board of Supervisors - The governing body of the district shall consist of a board of five (5) supervisors, referred to in this article as "Supervisors." The election, qualifications, term of office, and duties of the Supervisors shall be as provided in Section 35-70-105 and 35-70-107 of the Colorado Conservation District Act and as provided in Section 4 of these bylaws.

Section 3. Appeals- If the owner of any lands within the district desires, he/she may appeal any decision of the Board of Supervisors to the State Conservation Board. The procedure for the appeal is outlined in Section 35-70-110 of the Colorado Conservation District Act.

Section 4. Powers and Duties of Officers - The president shall preside at all meetings of the Board and of the landowners within the district. (S)He shall be the executive officer of the district and shall sign, for the district and the Board all contracts, agreements, vouchers, warrants, checks, or other papers necessary to the conduct of the affairs of the district, when duly authorized to do so by the Board. (S)He shall have such other duties and powers as usually devolve upon the executive officer of a public corporation.

The vice-president shall act in place of the president in all things in the event of the absence of the president from the district or from any meeting of the district or the Board, or when the president shall be incapacitated from any cause.

The secretary shall be the custodian of the seal of the district and of all papers, documents, and records of the district and the Board. (S)He shall keep accurate and complete minutes of all meetings of the district landowners and the Board, which minutes shall be available for inspection by any owner of land in the district at reasonable times. (S)He shall attest the signature of the president to all contracts, agreements and other papers necessary to the conduct of the affairs of the district, except for the disbursement of funds.

The treasurer shall be the custodian of the funds of the district and shall at all times be charged with their safekeeping. (S)He shall furnish bond in such amount and with such

conditions, as shall be required by the Board, and the cost of such bond shall be borne by the district. (S)He shall affix her/his signature, with that of the president, to all vouchers, warrants, checks, or other instruments for the disbursement of funds of the district. (S)He shall keep at all times an accurate and complete record of the financial transactions of the district and of funds remaining in her/his hands, and such record shall be available for inspection by any landowner of the district at reasonable times.

Section 5. Meetings of the Board - Quorum - Regular meetings of the Board shall be held once each month at the principal place of business of the district. At each meeting of the Board the members present shall fix the day and hour of the next regular meeting, and the secretary shall notify each member, in writing or by phone, not less than three (3) days before the date of such meeting. Special meetings of the Board may be called at any time by the president or by any three members of the Board on five (5) days' notice in writing, by telephone, or personal contact. The presence of three (3) members of the Board shall be necessary to constitute a quorum, and a majority of those present shall prevail, except that in any meeting for the purpose of preparing and certifying a budget a majority of the whole Board shall approve such action.

Section 6. Meetings of Landowners - The first annual meeting of the landowners of the district was held at its principal place of business in May 1943. Special meetings of the landowners of the district may be called by the Board when deemed desirable, or by a petition signed by 5% or 50 of such landowners, whichever is less.

The secretary shall give notice of such regular or special meetings by mailing to each

landowner at his last known address written notice of such meeting not less than thirty (30) days in advance of the date thereof or by publishing once in a newspaper of general circulation within the district a notice of the time and place and the purpose of such meeting not more than thirty (30) days in advance nor less than ten (10) days prior to the date of such meeting.

At all regular annual meetings, the landowners shall receive the reports of the officers of the district and shall transact such other business as may come before the meeting.

At any special meeting of the landowners only such matters shall be considered as have been included in the notices given.

At any regular annual or special meeting of the landowners of the district a majority of those present in person shall prevail. The Board of Supervisors shall make all arrangements for and conduct meetings of landowners.

Section 7. Qualifications of Voters - Any person in interest may be heard at any special or regular meeting of landowners of the district, but only qualified voters, as defined by Section 35-70-104 and 35-70-104.1 of the Colorado Conservation District Act, or their authorized agents shall be permitted to vote. At all such meetings, the Board shall appoint a committee on the district, and such committee shall examine the qualifications of all persons presenting themselves for the purpose of voting and shall report to the President a complete list of qualified voters present in person. Such list shall constitute the voting list of such meeting, and in the event of protest as to any portion of such report or as to any name which has been excluded from the list or included in the list, such report may be accepted or amended by a majority vote of those qualified voters present against whose qualification no protest is made.

Section 8. Rules and Order of Business - At all meetings of landowners within the district, Roberts' Rules of Order shall govern the conduct of business, and the order of business shall be established by the Board.

Section 9. Taxation - Taxes or assessments within the district may be levied in accordance with Section 35-70-109 in the Colorado Soil Conservation Act.

Section 10. Vacancies - Vacancies on the Board shall be filled as provided in Section 35-70-107 of the Colorado Conservation District Act. Vacancies in the offices of president, vice-president, secretary, and treasurer shall be filled by the board.

Section 11. Removal of Supervisors and Officers - Any member of the Board of Supervisors may be removed from office by the recall procedure outlined in Section 32-1-906 and 32-1-907, Colorado Revised Statutes. Any officers of the Board may be removed from such office at any time by a majority of all of the members of the Board.

Section 12. Employment of Assistance - If in the opinion of the Board it shall be necessary or in the best interests of the district to employ some person or persons not qualified to vote in the district, as secretary or treasurer or both secretary and treasurer, it shall have power to do so, and it shall have the power to employ such legal, technical, or other assistance as may be necessary to the conduct of the affairs of the district; but in no event shall the employment of any assistance authorized in this section obligate the district beyond the amount of its available funds or reasonable revenue expectancy.

Section 13. Amendment of Bylaws - The bylaws of this conservation district may be altered, amended, or repealed or additions made thereto, at any regular or regular called special meeting of the landowners of the district, upon compliance with the following requirements: A notice of said at which changes are to be considered must be published stating the location where the complete text of the proposed amendment can be reviewed.

Notice must be published at least once in a newspaper of general circulation within each county in which property included within the district is located, not less than ten (10) nor more than thirty (30) days prior to said meeting, and those present at said meeting shall constitute a quorum if Section 6 of these articles is met for consideration of the proposed amendment. The affirmative vote of a 2/3 majority thereof shall be required to adopt the proposed amendment.

Approved at a meeting of the landowners held on

2003

Date

Charles A. Carr
Supervisor

Clarence C. Robinson
Supervisor

Bendal Brown
Supervisor

Lawrence Ortega
Supervisor