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#4191
(Jeremy Gregg)

**BY-LAWS
OF
THE OCHOCO VALLEY HOMES IMPROVEMENT DISTRICT**

4100680

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FIELD SERVICES
DRINKING WATER PROGRAM

Section 1. For the remainder of this document, and in the future reference to this

Association and its parts, the following terms and definitions shall be used:

Substitute the word "Board" whenever the word "council" appears.

Membership - twenty seven owners of homes in the ochoco valley homes improvement district meet qualifications for membership with one vote per residence and lot, restricted to the owner or their delegate as set forth in a proxy statement.

- b. Executive Board- Those persons elected to fill the positions of President, Treasurer, and Secretary, and such other members as the Association shall deem necessary, but no more then seven persons total, shall be also known as the Board of the Ochoco Valley Improvement District.

DUTIES OF OFFICERS:

Section 1. The President of the Executive Board shall preside over meetings of the Board, chair special meetings of the Board as necessary, approve chairperson (s) of special committees established by the board, and perform general executive functions as necessary.

- a. Oversee the elections of officers.
- b. Assume the responsibilities of the President, Treasurer or Secretary when they are unable to do so or appoint a qualified person pending the next annual meeting and election.

Section 9:4 + Section 10
on Cross Connections

Section 3. The Treasurer will collect and disperse all funds under supervision of the Board and maintain all financial records required..

The Treasurer shall:

- a. Present a financial report to the Board ANNUALLY or upon the Board's request.
- b. Establish and maintain an account with a local banking facility in the name of the Association, and ensure that all financial transactions are accomplished via checks.
- c. Ensure a dual signature procedures for checking purposes is implemented and ensure that all financial transactions are approved by the Board in accordance with the By-Laws.
- g. Prepare annual budget proposal for review/approved by the Board and the association membership.
- h. Assume the responsibilities of the President, when he is unable to do so.

Section 4. The Secretary will provide all administrative support for the Association. The

Secretary shall :

- a. Take minutes of all meeting, and distribute the completed minutes in letter form to all attendees and absent Board members within five duty days of the meeting.
- b. Update Associational Officer roster as needed.
- c. Make arrangements for all meetings and inform members of the arrangements made.
- d. File all required documentation to the Corporations Commission, State and Crook County Health Departments, Department of Enviromental Quality, or any other local, state or federal agency.

- e. Maintain a continuity folder to consist of:
 - 1. Minutes of all meetings from the previous 2 years.
 - 2. Store all old minutes for a period of ten years.
 - 3. A record of all administrative actions taken by the Executive Board.
- f. Assume the responsibilities of the President, Treasurer when they are unable to do so.

Section 5. Board members will:

- a. Attend all Association meetings and administer the Association between annual meetings.
 - 2. Present their problems/ideas to the Board for action.

DUTIES OF THE BOARD:

Section 1. Review and validate expenditures.

Section 2. Authorize expenditures within the limitations of the By-Laws.

Section 3. Approve projects.

Section 4. Discharge other responsibilities contained within the Association's By-Laws, amendments, or addendums's thereto.

Section 5. Establish all special committees.

Section 6. Voting during official meetings is limited to the members of the Board.

Section 7. Enforce all provisions necessary to comply with the legal requirements of all local state and federal laws and regulations.

Section 9. The enforcement powers shall include the power to:

- 1. File a law suit on behalf of and in the name of the Association;

2. Disconnect the water from any residence that is in violation of any of the laws or regulations, and refused to promptly comply after being given written notice of such violation;
2. Install any necessary cutoff valve or other device needed to enforce the legality and/or safety of the Association or its water service.
3. Take any legal action or disconnect water service for repeated non-payment of water fees, after first giving the party a thirty day written notice of pending action and allowing that party to appear before the Board to explain why such action should not be taken. The Board's decision is final, and the shall not exercise this power for any reason not related to payment;
4. Ensure that any residence having a potential cross-connection as defined below, shall have all safety devices such as vacuum breakers, back flow devices, etc, tested annually, with a certificate of the passing test to be kept by the Board;

Section 10. Cross connections shall include any underground sprinkler system, swimming pool, well, storage tank, or other device that is or can be connected to the water system and allow water or other fluids to back flow into the water system.

ELECTION OF OFFICERS AND BOARD MEMBERS:

Section 1. Term of office shall be for the period of three years with the President's, Treasurer's and the Secretary's term expiring on consecutive years. An election for a period of less than three years will be held to keep the expiration these positions staggered.

Section 2. Nominees will be active members of the Association and shall meet the

requirements as stated in Section 1 of these By-Laws.

Section 3. Nominations will only be accepted upon consent of the nominee, either written

or oral

Section 4. Each of the twenty seven home owners shall have voting rights, one vote per

home.

Section 5. Officers shall be elected by a simple majority vote of the members. This vote

will be by a show of hands at the annual meeting or as otherwise required.

RESIGNATIONS:

Section 1. Anyone submitting a resignation is requested to give 30 days notice unless

extenuating circumstances prevail. This time is needed to obtain a replacement and

provide an orientation period.

Section 2. If there is an administrative action pending against the person resigning, the

resignation will take the place of the administrative action. However, all records dealing

with the administrative action will be attached to the resignation letter in the continuity

folder.

DISMISSALS:

Section 1. A member of the board can petition for the dismissal of an officer on the

grounds of not adequately performing his/her duties.

Section 2. The council will decide by a two-thirds majority vote whether the petition

merits administrative action or should be dismissed.

Section 3. If the council decides the petition has merit, a letter will be provided by the

council to the member informing him/her of the pending administrative action.

Section 4. Said member will be provided an opportunity to respond (either in person or in writing) to the charges at the next meeting.

Section 5. Upon consideration of the member's response, a vote of the council will be taken to retain or remove the member from office.

Section 6. A two-thirds majority is required for dismissal.

COMMITTEES:

Section 1. All committees shall be established by council, and shall consist of a chairperson and as many members as required.

Section 2. The committee chairperson will be responsible for calling and chairing all committee meetings.

Section 3. In the event an activity is conducted whereby the Association or members could become liable, adequate insurance will be obtained prior to the activity.

FUNDS DISTRIBUTION:

Section 1. Members of the Associations will not receive financial reimbursement for their services, except that the treasurer shall not be required to pay for his water.

Section 2. All grants from the financial assets of this Association will be made only after validation and ratification by a simple majority of council members present at an official meeting.

Section 3. A positive cash balance will be maintained in the funds account at all times.

Section 4. A petty cash fund will not be maintained.

DISSOLUTION:

Section 1. Should this Association dissolve or otherwise cease to function as outlined in

this constitution an By-Laws, the physical and financial assets, together with the debts of the Association, will immediately be dispursed to the homeowners after paying all of the Association's debts, and setting aside funds sufficient to cover any claims against the Association.

Section 2. If an accurate accounting of all assets cannot be made by the TREASURER THE BOARD shall be notified within 72 hours.

Section 5

ADOPTION:

These By-Laws become effective upon ratification by an affirmative vote of the Association.

Adopted 10-13-99

[Handwritten Signature]
Sec. Treas.