

Big Flat Irrigation District

P.O. Box ¹⁸¹¹³ ~~5664~~
Missoula, MT 59808

B Y L A W S

ADOPTED
March 17, 1992

BIG FLAT IRRIGATION DISTRICT
MISSOULA COUNTY, MONTANA

DISTRICT'S BYLAWS

I. STATEMENT OF OBJECTIVES

To deliver irrigation water equitably to all lands assessed by the Big Flat Irrigation District in the most efficient manner at a cost consistent with good management practices.

To maintain the total irrigation system to the degree necessary to preserve the capacity and condition of the facilities in a manner to avoid undue depreciation; and to deliver irrigation water as required by the water users in accordance with District policies.

To maintain sound fiscal policies, including adequate reserves.

To promote the wise and efficient use of available water (Big Flat Irrigation District Water Conservation Plan, Adopted June, 1987) and the conservation of project soil.

II. BOARD OF COMMISSIONERS

A. Qualifications

Candidate for Board of Commissioners must:

1. be an owner of irrigable land within the District and shall be a resident of the County in which the division of the District, or some portion thereof for which such Commissioner so elected, is situated (85-7-1501 Mont. Code).
2. be willing to take the time necessary to attend and participate in Board meetings.
3. work well with other Commissioners as a team and support majority decisions.
4. be willing to approach problems in a positive and constructive manner.
5. Be objective so that decisions will be made in the overall interest of the District without being influenced by religious, political, or other issues unrelated to the business of the District.

B. Functions of the Board of Commissioners

1. Operate within legal authorization.
 - a. The Board is responsible to ensure that its actions and the actions of the employees conform to all Federal, State and local statutes and ordinances; provisions of Government contracts and Bylaws of the Big Flat Irrigation District. (Safety Policy-- Appendix B)
 - b. Indemnification shall be in accordance to Appendix A.
2. Meetings.
 - a. Regular meetings shall be held on the third Thursday of the month--provided this date does not fall on a holiday, or at the discretion of the Board.
 - b. Minutes of each meeting shall be written in permanent form and shall include:
 1. Date and time of meeting.
 2. A record of the Commissioners and other persons who attended the meeting.
 3. A brief statement of all matters pertaining to the business of the District brought before the meeting.
 4. All motions considered by the Board should be recorded together with vote taken.
 - c. Special meetings may be called at any time by the President of the Board or any two Commissioners.
3. Elections.

The Board shall conduct regular and special elections in accordance with State statues (85-7-1702 and 13-1-104 and 13-1-401 Mont. Codes) with each Commissioner holding a term of three years.
4. Execute contracts and agreements.

5. Collect and disperse Irrigation District funds.
 - a. Levy assessments.
 - b. Collect miscellaneous revenues.
 - c. Review and approve annual budgets.
 - d. Process payments on District obligations promptly.
6. Maintain adequate and complete set of records and accounts.
 - a. Prepare and review annual financial reports.
 - b. Review Board policies on a periodic basis.
7. Direct a public relations program and disseminate information to the water users, including periodic reports.
8. Carry out all additional administrative functions of the Big Flat Irrigation District as required.

III. DUTIES OF THE DITCHRIDER

Under the direction of the Commissioners and in accordance with the job description and Letter of Understanding, the ditchrider shall:

- A. Operate and maintain District's irrigation facilities and equipment.
- B. Regulate and distribute the District's irrigation water supply.
- C. Assist the District's public relations program.
- D. Maintain the District's real property.
- E. Submits written monthly work reports to the Board.

IV. DUTIES AND RESPONSIBILITIES OF THE SECRETARY/TREASURER

Under the direction of the Commissioners and in accordance with the job description, the Secretary for the Board of Commissioners shall:

- A. Carry out all Bookkeeping duties for the District, including all payroll and payroll taxes.
- B. Update and submit all assessment statements due to the County Assessor's Office by the middle of August.
- C. Arrange all Bonds for the Commissioners and Secretary/Treasurer.
- D. Submit all reports required by the Bureau of Reclamation and other official agencies.
- E. Prepare the Annual Financial Report for the District.

APPENDIX A

INDEMNIFICATION OF COMMISSIONERS, OFFICERS, AND EMPLOYEES

The District shall indemnify every person who was or is a party or is or was threatened to be made a party to any action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he is or was a commissioner, officer or employee of the District, against expenses (including counsel fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding, to the full extent permitted by applicable law. Such indemnification shall include advances of expenses in advance of final disposition of such action, suit or proceeding, subject to the provisions of any applicable statute. The right to be indemnified or to the advancement or reimbursement of expenses is a contract right based upon good and valuable consideration, pursuant to which the person entitled thereto may sue as if these provisions were set forth in a separate written contract between such person and the District. The right to be indemnified is and is intended to be retroactive and shall be available as to events occurring prior to the adoption of this provision. The right to be indemnified shall continue after any rescission or restrictive modification of this provision as to events occurring prior thereto.

Appendix B

GENERAL SAFETY RULES AND REGULATIONS:

Safety rules and regulations are established to protect lives and property. There is no substitute for common sense and good judgment when it comes to safety.

1. All accidents must be reported immediately to the Secretary.
2. Use the right tool and equipment for the job. Adjust and repair equipment only when authorized. Any faulty equipment should not be used until repairs have been made.
3. Personal protective equipment will be worn, as the job requires. (For example, when necessary, use hard hats, safety glasses, hearing protection, breathing masks, etc.).
4. Never wear loose or torn clothing around moving machinery.
5. Never operate or use machinery or tools that you are unsure of what the proper and safe procedure is. If unsure, ask your supervisor to show you how to use the equipment in the safest way possible.
6. Never carry loads that are too heavy. Always lift properly using legs and keeping back straight.
7. There may be other special safety requirements or procedures that may arise while a project is in progress. Standards for these requirements or procedures will be issued as necessary and all employees will be informed of these additional standards and of compliance that is expected of them.
8. Use of illegal drugs or alcohol is not permitted while working for the Ditch.
9. Workers are not to bring their children.
10. If pets accompany the worker, it should not be allowed to run loose.