

# McCurtain County Rural Water District No. 5 Voting Ballot 6/19/25

## Board Member Position No.2 Please Mark Only One

☐ Cristal Joslin

☐ Kevin Perry

## Board Member Position No.5 Please Mark Only One

☐ Paul Sorensen

☐ Cathy Burke

### Current Bylaw: Article 5

#### Right to Vote

**Section 1.** Only participating members shall have the right to vote, and each participating member shall be entitled to a single vote, regardless of the number of Benefit Units to which he may have subscribed: Provided all owners of land located within the District shall be eligible to vote at a meeting of landowners until ninety (90) days after declaration of availability of Benefit Units and unit fees has been entered by the Board in its minutes. There shall be no proxy voting, and no dual ownership of Benefit Units for voting purposes. A participating member may be an individual, firm, partnership, association, or corporation. Participating Members shall be:

(a) Owners of land located within the District who has subscribed to one or more Benefit Units: Provided payments or charges are current on at least one (1) of the Benefit Units.

### Proposed Amendment: Amendment to Article 5

#### Right to Vote

At the annual meeting, a member shall vote by ballot. Members may vote their ballot in person at an annual meeting or, prior to the annual meeting, may deliver their ballot by U.S. Mail or other form of delivery service (Federal Express, hand delivery etc.).

#### Article 5

##### Section 1

Each voting member who is not in a status of termination, as provided for in Article 4, Section 2, shall be entitled to only one vote upon each matter submitted to a vote at any meeting of the members. At the annual meeting, a member shall vote by ballot. Members may vote their ballot in person at an annual meeting or, prior to the annual meeting, may deliver their ballot by U.S. Mail or other forms of delivery. All ballots not cast in person at an annual meeting must be filed for certification with the board secretary or election service provider no later than the last business day before an annual meeting to be valid at said meeting. Voting by members other than members who are a natural person shall be allowed upon the presentation to the district, prior to, or upon registration at, each member meeting, or satisfactory evidence entitling the person presenting the same to vote. No less than twenty-five (25) days nor more than thirty (30) days prior to an annual meeting at which a director's election (as defined herein) is to be held, the board secretary shall deliver by U.S. Mail a ballot to each member that is eligible to vote that includes: 1. Director scheduled for election by members; 2. Any other matters to be voted on by the members at the annual meeting. At all meetings of the members, all questions shall be decided by a majority of the members voting thereon, except as otherwise provided by these Bylaws. Members may not vote by proxy. Cumulative voting is not permitted.

#### Please Mark Only One

☐ Yes, add proposed additions

☐ No, do not add proposed additions

# McCurtain County Rural Water District No. 5 Voting Ballot 6/19/25

Please Mark Only One

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Yes, add proposed additions

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No, do not add proposed additions

**Current Bylaw: Article 7**

**Election of Directors**

**Section 5.** Any Director of the District may be removed from office for cause by a vote of not less than 3/4<sup>th</sup> of the participating members of the District at any annual or special meeting called for that purpose. The Director shall be informed in writing of the charges preferred against him at least 10 days before such meeting, whether regular or special, and at the meeting shall have an opportunity to present witnesses and be heard in person in answer thereto. Officers of the Board may be removed by cause by vote of 80 % of the members of the Board, and employees and agents discharged or removed from office or employment at any time by action of the Board. When the Board of Directors is the governing body of the city or town, they may not be removed except by due process of city government.

**Proposed Amendment: Amendment of Article 7**

**Election of Directors**

**Section 5:** Any Director of the District may be removed from office for cause by a vote of not less than three-fourths of the Benefit Unit owners physically present at any Annual or Special Meeting called for that purpose. The Director shall be informed in writing of the charges preferred against him at least ten (10) days before such a meeting, whether Annual or Special Meetings of the Benefit unit owners and at the Meeting shall have an opportunity to present witnesses and be heard in person in answer thereto. Officers of the Board may also be removed for cause by a vote of four (4) of the directors of the Board. Employees and agents of the district may be discharged or removed from office or employment with or without cause by the action of the Board or by action of a duly authorized representative of the Board having been formally granted such powers by the Board.

**Section 6:** Just cause for the removal of Board members shall include, but is not limited to the following:

A. Absent from three (3) consecutive regularly scheduled Board meetings without permission granted by the Board.

**Section 7: Qualifications for a Board Member**

A. Be bondable to a fixed amount set by the Board

B. Must be an individual (a natural person and not a business entity) Benefit Unit owner.

**Section 8: Election of Board Members**

A. The Board may adopt rules and regulations regarding the procedure by which a person may qualify for nomination to serve on the Board and announce their candidacy.



# McCurtain County Rural Water District No. 5 Voting Ballot 6/19/25

## Bylaw Article 12

### Current Bvlaw: Article 12

#### Annual Meeting of Participating Members

**Section 1.** The annual meeting of the participating members of the District shall be held at some suitable location within the District designated by the Board.

#### Proposed Amendment: Amendment to Article 12 Section 1

The annual meeting of the participating members of the district shall be held at the Hochatown water office at 9180 North U.S. Hwy 259 Broken Bow, OK 74728 or suitable location within the District designated by the Board. The annual meeting shall be on the third Thursday of June.

#### Please Mark Only One

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Yes, add proposed additions

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No, do not add proposed additions

### Current Bvlaw: Article 12

#### Current Bvlaw: Article 12

**Section 3.** Notice of meeting of participating members of the District shall be given by mail to each participating member of record directed to the address shown upon the books of the District at least 10 days prior to the meeting. Such notice shall state the nature, time, place and purpose of the meeting, but no failure or irregularity of a notice of any annual meeting, regularly held, shall affect any proceedings taken thereat.

#### Proposed Amendment to Article 12 Section 3

Notice of annual meeting of participating members of the district shall be given 30 days' notice by U.S. Mail of the time, place, and agenda. The notice shall also be published in a county newspaper at least 30 days prior to the annual meeting, posted on the district website at least 30 days prior to the annual meeting, and at the district office thirty days in advance of said meeting. The district shall send by U.S. Mail, at least 30 days prior to the annual meeting, a ballot to each member that is eligible to vote to include: 1. Director(s) scheduled for election by members; 2. Any other matters to be voted on by the members at the annual meeting. Members may not vote by proxy. Cumulative voting is not permitted. In person voting at the district office will start on the first Monday in June through the annual meeting.

#### Please Mark Only One

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Yes, add proposed additions

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No, do not add proposed additions

### Current Bvlaw: Article 12

#### Annual Meeting of Participating Members

**Section 5.** The order of business at the regular meeting and so far as possible, at all other meetings, shall be:

(A) Call to order;

(B) Proof of Notice of Meeting;

(C) Reading and Approval of Minutes of Last Meeting;

(D) Report of Officers and Committees;

(E) Election of Directors;

(F) Unfinished Business;

(G) New Business;

(H) Adjournment.

#### Proposed Amendment to Article 12 Section 5

The order of business at the annual meeting shall be:

A. Call to order

B. Roll call to establish a quorum

C. Proof of Notice of Meeting

D. Reading and approval of minutes of last Annual Meeting

E. Manager's report

F. Election of Board Member

G. Members will consider and vote on matters listed on the Agenda for the Membership Meeting.

H. Annual Audit Review

I. Unfinished Business

J. New Business

K. Adjournment

#### Please Mark Only One

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Yes, add proposed additions

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No, do not add proposed additions

# McCurtain County Rural Water District No. 5 Voting Ballot 6/19/25

## Current Bylaw: Article 13 Board Meetings

**Section 1.** The Board shall meet each year to adopt a budget for the following year, and will also meet annually to elect officers immediately following the time for election of any new Director. The Board shall meet at such other times as may be determined by the Board, or upon call by the Chairman or any two members of the Board. Notice of all meetings of the Board shall be by mailing a notice to the last known business or residence address of each Director, at least two days before the holding of such meeting: Provided, however that when all of the Directors are present at any meeting, however called, or consent in writing that such meeting may be held, the proceedings thereat shall be as valid as though the previous written notice aforesaid has been given.

The annual meeting shall be the third Thursday of June and all members are to be given 30 days' notice by mail of the time and place. The notice shall also be published in a county newspaper thirty days in advance of the said meeting.

## Proposed Amendment: Amendment to Article 13 Amendment to Article 13 Monthly Board Meetings

**Section 1.** The Board shall meet on the second Tuesday of every month unless otherwise posted at the Hochatown water office at 9180 North Highway 259, Broken Bow, OK 74728. The Board will adopt a budget for the following year by the January meeting prior to beginning of the fiscal year in February. The Board shall meet at such other times as may be determined by the Board for special or emergency meeting. All board members must be notified of these meetings. Notice of meetings shall be delivered to each board member via email set up by the district. They will be provided a board member packet prepared by the district's bookkeeper at least two days prior to the meeting.

**Section 2.** To ensure that the business of MCRWD#5 can be conducted in a respectable and productive meeting, we will be maintaining rules of decorum: 1. The Chair will preside over the meeting to ensure order. 2. All board members have equal rights. 3. No person should speak until recognized by the chair. Personal remarks or side discussions during the meeting are out of order and will be called out by the chair. 4. During comments from the public, only one person will have the floor at a time. They must address only items listed on the agenda. They will have 3 minutes. The board secretary of the water district will serve as the timekeeper. The board secretary will call the start time and finish time. 5. A point of order may be called by the board. This motion is used to ensure that each member follows the established guidelines to keep meetings on track. Points of order can interrupt the speaker, do not require a second and cannot be debated or amended. They will be noted in the minutes. 6. The chair will read each agenda item and open the floor for board members, district manager, project manager discussion. When necessary, the office manager and bookkeeper may be questioned by the board for more information. Members of

the board will discuss/consider/Take possible action to approve or reject said item. Motion will be made, followed by a second. The board secretary will call for a vote.

## **Section 3.** The order of business shall be:

- A. Call to order
- B. Roll call to declare a quorum
- C. Proof of posting of meeting
- D. Consideration/Approval of Consent Agenda
  - 1. Approval of Minutes
  - 2. Approval of Bills and Disbursements
  - 3. Approval of Financial Report
  - 4. Approval of New Benefit Units
  - 5. Approval of Transfer of Benefit Units.
  - 6. Approval of Submittals from the 2022A loan fund
- E. Discussion/Consideration/Approval/Rejection of Manager's Report
- F. Matters stated on the Agenda and Unfinished Business which may include matters previously tabled.
- G. New Business (any matter not known about or which could not have been reasonably foreseen prior to the time of posting)
- H. Adjournment

## Please Mark Only One

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Yes, add proposed additions

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No, do not add proposed additions