

No. M-9. An act relating to approval of the adoption of the charter of the Morrystown Corners Water Corporation.

(H.297)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. CHARTER APPROVAL

Notwithstanding any other provision of law to the contrary, the general assembly approves the adoption of the charter of the Morrystown Corners Water Corporation as provided in this act.

Sec. 2. 24 V.S.A. App. chapter 701 is added to read:

CHAPTER 701. MORRISTOWN CORNERS WATER CORPORATION

§ 1. BOUNDARIES

The boundaries of the Morrystown Corners Water Corporation shall consist of 47 residential parcels as shown on the “Water Resources Map” on file with the Lamoille County Planning Commission specifically identifying those parcels and the land and “well-head” protection areas of the Morrystown Corners Water Corporation, a part of which is land owned by the Morrystown Corners Water Corporation as described in the land records of the Morrystown town clerk’s office.

§ 2. PURPOSE

Morrystown Corners Water Corporation is a water supply municipality as defined in section 126 of Title 1 and pursuant to and consistent with the purposes and meaning set out in chapter 89 of Title 24 and is formed and

existing, inter alia, consistent with its authority under Vermont law, to design, construct, upgrade, operate, and maintain a water supply and distribution system, including the maintenance and repair of water mains and the provision of water service to the area described in section 1 of this chapter.

§ 3. POWERS

The Morristown Corners Water Corporation shall have all powers granted to a municipal water supply corporation pursuant to chapter 89 of Title 24, and the water supply municipal corporation shall have the authority among other things consistent with statutory authority granted to:

(1) Construct, install, maintain, and repair all facilities and equipment necessary for the provision of water supply and distribution services to the members of the district.

(2) Bill all users of water services provided by the district for their pro rata share of the expense of providing, operating, and maintaining the water supply.

(3) Purchase, own, grant, convey, sell, or take by eminent domain real property, easements, and personal property in the name of Morristown Corners Water Corporation.

§ 4. ANNUAL AND SPECIAL MEETINGS

Annual and special meetings of Morristown Corners Water Corporation shall be held in conformance with the notice, warning, and voting requirements of the adopted bylaws of the Morristown Corners Water Corporation.

§ 5. OFFICERS; DIRECTORS

(a) The board of directors shall also be the officers and shall consist of at least five members elected by the members of the municipal corporation for a term of three years. Vacancies on the board of directors shall be filled in the manner as provided by the bylaws of the municipal corporation. The board of directors' decisions by majority vote of the entire board concerning policy, procedures, and all matters of business of the municipal corporation shall be final and binding.

(b) The president and vice president shall be responsible for:

(1) The maintenance and repair of the system or the subcontracting of that responsibility.

(2) Water testing as mandated by the state and federal government: monthly, quarterly, and annually.

(3) Dealing with state and federal agencies as necessary and working with resource organizations.

(4) Providing customer services.

(5) Maintaining operation certification and insurance.

(6) Monitoring of the water-testing schedule and requisition of testing equipment.

(7) Convening of regular annual and special meetings.

(8) Public relations activities.

(c) The treasurer shall be responsible for:

(1) Billing, invoicing, depositing and dispersing funds, maintaining safety deposit boxes, and reporting and collecting delinquent account receivables.

(2) Writing and signing all checks on behalf of the municipal corporation consistent with that authority as granted by the board of directors.

(3) Alerting the board of directors and officers of the municipal corporation of any past due accounts.

(4) Preparing, distributing, and reporting annual financial statements.

(5) Preparing and presenting the annual operating budget.

(6) Preparing and filing annual tax returns as required.

(7) Keeping accurate records of all financial transactions made by the municipal corporation.

(8) Collecting delinquent water rents and fees due to the municipal corporation, interest on those accounts, and penalties in accordance with Vermont law.

(d) The clerk shall be responsible for:

(1) The accurate taking, timely distribution, and orderly maintenance of minutes of meetings of the board of directors as well as annual meetings and special meetings of the Morristown Corners Water Corporation and the maintenance and preservation of official documents.

(2) Picking up and distributing mail to the responsible officer.

(3) Performing monthly coliform tests as required in consultation with the president and vice president and the timely and accurate submission of those tests.

(e) The tester shall be responsible for:

(1) Properly taking and accurately recording chlorine readings in consultation with the president and vice president and the timely and accurate submission of those readings.

(2) Participating in other daily, monthly, and annual testing of the water and water system as required in consultation with the president and vice president consistent with requirements for testing under this chapter and the bylaws.

§ 6. BOARD OF DIRECTORS

The board of directors shall be the legislative and administrative body of the municipal corporation and shall be responsible for the control and management of all affairs, property, and interests of the corporation. The board of directors

may exercise all legal powers of the corporation consistent with this chapter, the bylaws of the corporation, and Vermont law. These powers shall include the execution of contracts, the authority to purchase insurance on behalf of the corporation, the commencement of actions in the name of the corporation, defending actions brought against the corporation, and the settlement of claims on behalf of the corporation.

§ 7. RATES

The board of directors shall establish rates and fees for the water services, including capital improvements, provided by the corporation, and all rates and fees for water services shall be paid to the treasurer.

§ 8. RULES

The board of directors shall adopt rules that govern the administration, operation, and maintenance of the water system. Rules adopted by the board of directors shall become effective upon a majority vote of the directors.

§ 9. AMENDMENT OF CHARTER

This charter shall be amended in the same manner as provided in section 2645 of Title 17, except that in lieu of the requirements of subdivision 2645(a)(7) of Title 17, a vote by members of the corporation affirming the amendment of this charter shall be by a voice vote in the form of a yes or no proposition. The corporation shall make all proposed changes to this charter

available to any member of the corporation in amended form, with deleted material in brackets and new matter underlined or in italics.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

Approved: May 18, 2009