

BY-LAWS
Emergency Telephone Service Authority
Las Animas County, Colorado
E-911 Authority Amended
February 27, 2020

Article I: Purpose

These by-laws are intended to supplement the provisions of Article 11 of Title 29, C.R.S. and Intergovernmental Agreement (IGA) concerning the implementation of the E-911 Emergency Telephone Service Intergovernmental Agreement (Agreement), dated February 1, 1992, which established the Emergency Telephone Service Authority of Las Animas County, Colorado (Authority), a separate legal entity responsible for administering the operations of emergency telephone services and is attached hereto and incorporated herein by this reference to guide the conduct of the Authority's affairs by its Governing Board (Board).

Article II: Board of Directors

Section 1. General Powers

The affairs of the Authority shall be conducted by a board consisting of nine (9) members (Directors), who shall be appointed in accordance with the current Intergovernmental Agreement (IGA) and shall exercise the powers of the Authority as set forth in the Agreement.

Section 2. Voting

Each Director shall have one (1) vote. There shall be no proxy voting.

Section 3. Vacancies

Any vacancy on the Board shall be filled in accordance with the current IGA. If a Board member has been absent from three (3) successive meetings, without being excused, or has missed a total of six (6) meetings on an annual basis, the Board shall notify the appropriate nominating entities of such fact within thirty (30) days and request a replacement be nominated. The nominee's name shall be submitted for approval to the Las Animas County Board of Commissioners or the Trinidad City Council, by the Board chairperson, within thirty (30) days of receipt.

Section 4. Terms

The term of office for each Director shall be for three (3) years. There are no term limits.

Article III: Meetings

Section 1. Regular Meetings

Regular meetings for the transaction of the business of the Board shall be held at such times and places as the Board may, from time to time, determine. The Board shall hold at least one (1) regular meeting per year as its annual meeting, which shall be held at such time and place as

the Board may designate. The purpose of the annual meeting shall be for the selection of officers and such other purposes as the Board shall determine.

Section 2. Special Meetings

Special meetings of the Board may be called at the request of the Chairperson of the Board or any four (4) Directors and shall be at such place as the Chairperson or the four (4) Directors determine. Notice of any special meeting of the Board shall be given at least seventy-two (72) hours prior to such meeting. Notice of such meetings shall be transmitted to each Director via email. Special meetings must comply with all appropriate statutes.

Section 3. Agenda for Regular Meetings

All Directors shall have the right to have items placed on the agenda. It shall be the responsibility of any Director desiring to have an item placed on the agenda to present it to the Secretary or Chairperson at least five (5) days prior to the scheduled meeting. Each agenda shall provide for the discussion of other items of old and new business which may not be specified on the agenda.

Section 4. Open Meetings

Regular and special meetings of the Board shall be posted pursuant to C.R.S. §32-1-903 wherein the specific agenda, date and location of the meeting will be posted within 24 hours of the meeting at the governing body's website (LAC911.com). If unable to post the information at the governing body's website (LAC911.com) due to exigent or emergency circumstances such as a power outage or an interruption to internet service, the Board will authorize a designated posting location.

Section 5. Quorum of Board

The attendance of five (5) Directors shall constitute a quorum. All acts of the Board shall be by vote and recorded by the Secretary. In the absence of the Secretary, the Chairperson shall designate a Board member to perform the duties of the Secretary. A quorum may transact all business of the Authority

Article IV: Officers

Section 1. Officers

The officers of the Authority shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer.

Section 2. Election and Term of Office

The officers of the Authority shall be elected annually by the Board at the regular meeting held in February. If the election is not held at such meeting, the election shall be held at a regular meeting as soon thereafter as possible. Each officer shall hold office until a successor has been duly elected.

Section 3. Duties of Officers

Chairperson: Shall conduct all regular and special meetings of the Board, assume responsibility for general management of the Authority, carry out all resolutions as passed by the Board, be a signor on the Authority's financial accounts, and all other duties as designated by the Board.

Vice-Chairperson: Shall assume responsibilities of the Chairperson in his/her absence, be a signor on the Authority's financial accounts, and all other duties as designated by the Board.

Secretary: The secretary shall be responsible for all written correspondence issued and received by the Board; shall prepare, or cause to be prepared, agendas for meetings and minutes of all meetings; shall act as the purchasing officer for the Authority, and shall act on any other issue as directed by the Board. If a contracted position, he/she shall be accountable to the elected secretary for final approval and signature of minutes.

Treasurer: The treasurer shall be responsible for the care and custody of all funds of the Authority; shall act as the budget officer; shall prepare all budget documents required by the state of Colorado; shall prepare, or cause to be prepared, monthly financial reports of the Authority; shall be a signor on the Authority's financial accounts; and shall assume all other duties as designated by the Board.

NOTE: The position of secretary and the position of treasurer may be held by the same Director if the Board so chooses.

Section 4. Removal

Any officer elected by the Board may be removed from such office by a majority of the Board when, in its judgement, the best interest of the Authority would be served.

Section 5. Committee

The Board at its discretion may appoint committees by majority vote to assist the Board. All such committees and their members shall serve at the will of the Board. The Board shall by majority vote appoint the Chairperson of any committee.

Article V: Finance and Budget

Section 1. Contracts

All contracts and other legally binding documents shall be signed by the Chairperson (or Vice-Chairperson in the absence of the Chairperson) and be attached to a Resolution of the Board authorizing the Chairperson to execute such document.

Section 2. Checks, Drafts and Orders

All checks, drafts or orders for the payment of money issued in the name of the Authority shall be signed by two (2) Directors authorized by the Board to execute such documents. All checks,

drafts or orders for payment of monies issued in the name of the Authority shall be approved by motion of the Board prior to signature by the two (2) Directors authorized by the Board to execute such documents. The Board may approve payment of anticipated recurring charges by a single act of the Board, provided that the Board gives specific written direction to the Treasurer concerning which charges are thereby approved for recurring payment.

Section 3. Deposits

All funds of the Authority shall be deposited in appropriate Authority accounts in accordance with state and applicable laws.

Section 4. Gifts

The Board may accept, on behalf of the Authority, any contribution, grant or funding for the lawful purposes of the Authority.

Section 5. Budget

Section 29-1-103 through 29-1-106 of Colorado Revised Statutes apply as appropriate to the Authority. The Authority has established internal procedures regarding budgets as follows:

Section 5.1. Revising Budget

1. The treasurer or designated budget officer submits to the Board prior to October 1, a proposed revised operating budget for the current year. The revised operating budget includes proposed expenditures and the means of financing them.
2. Public Notice and comment period are provided for in public hearing to be held during a regular meeting. Following the public hearing, the Board formally adopts the revised budget.
3. The Authority is authorized to transfer budget amounts between lines within the fund. However, any revision that alters the total expenditure of any fund must be approved by the Board.
4. The budget for the enterprise fund is adopted on a basis consistent with general accepted accounting principles (GAAP).
5. All annual appropriations lapse at the end of the year. Any reserve amount is carried forward in a general reserve for the following budget year.

Section 5.2. Establishing Annual Budget

The Board establishes the following procedures for setting the yearly budget. **(Note: fiscal year runs from January 1 to December 31)**

1. The treasurer or designated budget officer submits such operating budget for the upcoming year. The operating budget includes proposed expenditures and the means of financing them.

Copies of such budget shall be submitted to the Board of County Commissioners, City of Trinidad, members of the IGA and the Division of Local Affairs prior to October 1.

2. Public notice and comment are provided for in a public hearing to be held during a regular meeting. Following the public hearing the Board formally adopts the budget for the upcoming year.
3. The Authority is authorized to transfer budget amounts between lines within the fund. However, any revision that alters the total expenditure of any fund must be approved by the Board.
4. The budget for the enterprise fund is adopted on a basis consistent with general accepted accounting procedures (GAAP).
5. All annual appropriations lapse at the end of the year. Any reserve amount is carried forward into a general reserve for the following budget year.

Article VI: Books and Records

Section 1. Records of Meetings

In addition to the requirements of the current IGA, the Authority shall keep minutes of the Proceedings of its Board at all regular and special meetings and shall keep a record showing names and addresses of its Directors. The minutes shall reflect the current financial statement prepared by the treasurer of the Authority.

Section 2. Fee Schedule

The Authority realizes that requests for copies of records of the Authority will be made. The Authority shall utilize the same fee schedule as the current fee schedule in use by Las Animas County, Colorado.

Article VII: Amendment of By-Laws

These by-laws may be altered, amended or repealed at any regular or special meeting of the Authority by two-thirds (2/3) majority of the Directors present. All Directors must have received notice thirty (30) days prior to the meeting specifying the nature of the proposed alterations, amendments or by-laws to be repealed.

Amendments:

2018 July 26

2020 February 27

Article III, Section 4

Post meetings online §C.R.S. 32-1-903