



# *North Prairie Regional Water District*

Chairman Patten and members of the Senate Energy and Natural Resources committee,

North Prairie Regional Water District is located in north central North Dakota. We serve 4878 members and the Cities of Des Lacs, Carpio, Sawyer, Granville, Anamoose, Benedict, Plaza, Deering, Surrey, Keif, and Ryder. NPRWD was created in 1974 as a Co-op with a loan from the Farmer Home Administration and became a water district in 2004. We began with 250 members and have grown to 4878 members. The Board of Directors of NP have worked hard to ensure that the district provides quality water to the residents of north central ND, while maintaining reasonable water rates.

Section 1: We are ok with this section. Our bylaws state that the district must have an audit every year by a certified public account. The certified public account then sends the audit to the state auditor's office for review and approval. Our yearly audits are between \$30,000 to \$35,000 depending on whether we need a single audit due to receiving federal funding.

Section 2: The subsection 1 of section 54-10-15 of the ND Century Code states 35% of the qualified electors voting at the proceeding school board election. Why would we change the percentage of 35% of the members to a lower percentage for water districts. If you are going to add water districts to this section the percentage should remain 35% of the membership. If you feel strongly about this section, we will support 10% or 300 whichever is fewer. The reason for this change seems to be more about control by a few, more than ensuring that all the membership is being represented. NP bylaws requires that the District has an annual audit every year, I cannot foresee that this will ever be used with regard to NP. Most water districts have annual audits.

3. The only workable solution for all 20 Water Districts is to **Remove** subsection 3 of Section 3. It is imperative that we receive notice of an interest in running for the Board 30 days in advance of the meeting rather than 5 days, as proposed in the bill. Water districts will need to have time for their Nominating Committee's to meet to review the qualifications of board candidates to make sure they meet the criteria. Having a simple 5-day notice would not allow adequate time for this governing board to meet and review the candidate's qualifications. Some water districts do not have nominating committees, but they would still need to make sure the candidates meet the criteria/qualifications to run for the office. It is also important to have time to notify the membership about who is running for the positions, which may determine whether a member decides they will show up to the annual meeting or not, depending on how they feel about the candidate. In short, five days is simply not enough time.

Here is how our water district works:

1. The Nominating Committee selected at the annual meeting of the district serves until the next annual meeting.
2. The Nominating Committee shall prepare and provide to the District office at least 30 days before the next annual meeting of the members a list of nominations for directors. They will accept letters of interest and the willingness to accept positions on the board of directors.
3. All nominees for the board of directors must be a participating member and reside in the district boundaries and reside in the area for which the director nomination applies unless it is the at large position.
4. The Nominating Committee interviews and vets the candidates that are interested in running for the Board. It is the Nominating Committee's job to qualify the candidates for the open position and advance them to the general election at the Annual Meeting.
5. Election of Directors: Election of directors, from the Nominating Committee list of nominees, shall be by printed ballot that will be distributed to each participating member in attendance and entitled to vote. A participating member shall have one vote as provided in Section 5.4 of these bylaws. At the meeting of the participating members where an election of one or more directors will occur, the presiding officer shall appoint an election board to consist of three (3) participating members who shall, at the meeting only, preside over the distribution, collection, counting, and tally of ballots. In the event of a tie vote, the election shall be determined by lot in such manner as shall be selected or determined by the election board.

By allowing a person to be placed on the ballot 5 days before our election would cause mayhem. It does not allow sufficient time to gather the Nominating Committee and have them go through the process of making sure the candidates are qualified. It creates a burden on the District to meet such a tight timeline. Further every member should have the right to know in advance who is running for the board, since that may impact whether members will show up for the annual meeting or not. If there is not a contested election, the attendance may be limited, where if you have a contested election it may inspire members to show up and vote. If a person is really interested in serving on the Board it should be evident in their interview with the Nominating Committee, and the individual will be advanced to the general election. There are processes in place for our members to bring forth resolutions and changes that they would like to see in our current bylaws. If you would like to research them, you can find them on our website [nprwd.com](http://nprwd.com).

Section 61-35-10.4 The issue is not the members want to observe, the word "Engage" has multiple definitions. That word needs to be removed.

Thank you for your time.

Teresa Sundsbak  
General Manager NPRWD

