

HOGAN WATER CORP.

BYLAWS

Amended as of May 18, 2021

ARTICLE I

COMPLIANCE WITH ARTICLES OF INCORPORATION

These Bylaws shall not contradict any statements made in the Articles of Incorporation signed September 14, 1967 for HOGAN WATER CORP.

TERMINOLOGY

HOGAN WATER CORP. shall be referred to as the "Corporation"

A user/subscriber of the water service shall be referred to as "Member"

Description or address of property where water service is provided shall be referred to as "Premises"

OFFICE LOCATION AND FISCAL YEAR

The principal office of HOGAN WATER CORP. shall be located in Dearborn County, Indiana.

The fiscal year of the Corporation shall coincide with calendar year.

ARTICLE II

SERVICES

This Corporation was established to associate its Members together for their mutual benefit by constructing, maintaining, and operating a private water system supplying water services to the Members.

The Corporation's responsibility is to install, maintain and operate a main distribution pipe line(s) from the source of water supply, and service lines from the main distribution pipe line(s) to the property of each Member at which points, designated as delivery points, meters purchased, installed, owned, and maintained by the Corporation shall be placed. The cost of Corporation's service line(s) from the main distribution line(s) to the property of each Member shall be paid by the Corporation; thereafter the cost shall be paid by the Member. The Corporation will also purchase, own, install, and maintain a cutoff valve in each service line from the Corporation's main distribution line(s), such cut off valve to be installed on same portion of the service line owned by the Corporation. The Corporation shall have sole and exclusive right to use such cut-off valve.

Any bona fide occupant of the property reasonably accessible to the Supplier source may be a Member of the Corporation by signing a HOGAN WATER CORP. Member Agreement, obtaining a Certificate of Membership, paying a New Member Lifetime Fee and the prevalent tap fee for each new service line. The Corporation shall not be required to admit Member(s) if the capacity

of its water system is exhausted by the needs of the existing Members and all such other persons to whom it has been supplying water.

There shall be one (1) service provided by the Corporation per each dwelling or site. All taps and services must be approved by the Board of Directors in advance of installation. Each service line shall connect with the Corporation's water system at the nearest location to the place of desired use by the Member if the Corporation's water system shall be sufficient capacity to permit the delivery of water through a prior service line, then such service line shall be installed at such place as may be designated by the Corporation. Each Member shall be responsible from a point one (1) foot past the meter pit discharge side to usage.

Water furnished by the Corporation shall be for domestic consumption by the Member(s), persons of their household, and employees only. The Member shall not sell water to any other person or permit any other person to use such water. Water shall not be used for irrigation, fire protection, or other purposes, except that when water is available in sufficient quantity, without interfering with the regular domestic consumption, then the water may be used for any other purposes. Disregard for this rule shall be sufficient cause for refusal or discontinuance of service.

Violation of provisions in the Bylaws, HOGAN WATER CORP. Member Agreement, or other Corporation regulations, shall permit the Corporation to remove meter and disconnect service.

An individual(s) may install or have installed a new water line extension for the purpose of extending the main to a new location. The individual(s) desiring the extension shall equally bear the entire cost for such line extension, including but not limited to: Easements and the legal aspects of such, all costs for engineering, hiring of the Corporation's Inspector, securing a contractor, construction costs, tying into the existing main (HOGAN WATER CORP. would do this part with charges billed to the said individual(s)), and any and all costs involved with the line being accepted by the Corporation in regards to IDEM's testing specifications. Prior to any taps or meters being set, the individual(s) must become a Member(s) of the Corporation. Upon recommendation of the Corporation's Inspector, the Board of Directors will accept the line into the Corporation's system and the line will then be the property of the Corporation. Should within a 20 year period from the date of the acceptance of the line into the Corporation, an additional individual(s) want water service from the line, that individual would pay their respective percentage share of the original cost of that line extension to the Corporation for distribution to the original paying individual(s) up to the reimbursement of original costs; thereafter, Members will be added with no additional reimbursement of the costs to the original paying individual(s). All paperwork shall be handled by the Corporation. If another line extension would be tied to the end of the line, there would be no reimbursement to the original paying individual(s). Should a line extension be made other than at the end of the line, one share would be paid to the original paying individual(s) for such extension. All persons wanting water

service from any line must become a Member of HOGAN WATER CORP. and pay any required tap fees in place at that time.

ARTICLE III

BOARD OF DIRECTORS

Section 1. General Powers

The business and affairs of the Corporation shall be managed and conducted by the Board of Directors. The Board of Directors shall also have control of and be responsible for the management of the property of the Corporation.

Section 2. Number of Directors

The number of Directors of the Corporation shall be fixed by the Board of Directors, but in no event shall be less than four. This falls within the guidelines of the Articles of Incorporation which state that the number of Directors shall not be less than three and no more than eleven.

Section 3. Regular Meetings

A regular meeting of the Board of Directors shall be held without any other notice than these Bylaws, immediately after the annual meeting of the Members. The Board of Directors may hold regular meetings without additional notice of time or place to the Members.

Section 4. Special Meetings

Special meetings of the Board of Directors may be called by the President, or at the request of the President or by any two Members.

Section 5. Notice

Notifications can be made by any reasonable manner including but not limited to US mail, electronic mail, websites, phone communication, texting, or in person. Notice of a special meeting may be given, unless the meeting is determined to be an emergency meeting, where time does not allow.

Section 6. Quorum

A majority of the Board of Directors present at the meeting shall constitute a quorum but at no time shall this be less than three Directors.

Section 7. Director Duties

- A. A Director shall participate in the general and special meetings.
- B. Shall provide input on any open issues concerning the Corporation.
- C. Shall vote in the election of Officers of the Board of Directors.

Section 8. Manner of Acting

The act of the majority of the Directors present at the meeting shall be considered an act of the Board of Directors.

Section 9. Action Without a Meeting

Any action that may be taken by the Board of Directors at the meeting may be taken without a meeting if all Directors are contacted to participate prior to the meeting and all minutes of the proceedings are documented by the Secretary.

Section 10. Vacancies

Any vacancy that may occur on the Board of Directors may be filled by the affirmative vote of a majority of the remaining Directors. The Director elected shall serve for the unexpired term of the predecessor on the Board, after which the position will follow the normal elections process.

Section 11. Compensation

By resolution of the Board of Directors, each Director may be paid a compensation amount as determined by the Board of Directors. Directors are precluded from actively serving the Corporation in any other capacity and receiving compensation therefor. If a short term limited deviation from this rule is needed, that requires a unanimous vote of all the Board of Directors.

Section 12. Presumption of Assent

A Director of the Corporation who is present at a meeting of the Board of Directors, at which action is taken, shall be presumed to have assented to the action unless the Director's dissent shall be recorded in the minutes of such meeting.

ARTICLE IV

INDEMNITY

The Corporation shall indemnify its Directors, Officers, and employees. The Board of Directors may, in its discretion, direct the purchase of liability insurance.

ARTICLE V

OFFICERS

Section 1. Officer Positions

The Officers of the Corporation shall be four in number: President, Vice President, Secretary, and Treasurer, each of whom shall be elected by the Board of Directors. Any other Officer deemed necessary may be elected or appointed by the Board of Directors.

Section 2. Board Member Requirements

- A. Must be a Member of the HOGAN WATER CORP.
- B. Must be at least 21 years of age.
- C. Must not have any felony conviction.

Section 3. Election and Term of the Office

The Officers of the Corporation are to be elected at the annual meeting of the Corporation and serve for the designated 3 year term set forth by the Articles of Incorporation. One third of the Board of Directors shall be elected at each annual meeting. Each Officer will serve a full term or until resignation, death or removal.

Section 4. Removal

Any Officer may be removed by a majority vote of the Board of Directors if the Board of Directors determines the removal of the Officer to be in the best interest of the Corporation. A majority of the Board of Directors can be no less than three.

Section 5. President Duties

- A. The President shall be the principal Executive Officer of the Corporation.
- B. Shall in general supervise and control all the business and affairs of the Corporation.
- C. Shall preside over all meetings.
- D. May sign, on behalf of the Corporation, any contracts or other instruments authorized by the Board of Directors, unless prescribed by statute.
- E. In general, the President shall perform all duties incident to the office of President or directed by the Board of Directors.

Section 6. Vice President Duties

- A. In the absence of the President, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of, and subject to, all the restrictions of the President.
- B. Shall be an active participant on the Board of Directors, providing guidance and support for any and all Corporation business.

Section 7. Secretary Duties

- A. The Secretary shall document the minutes of all proceedings.
- B. Shall see that all required notices are executed.
- C. Shall be custodian of all corporate records.
- D. Shall ensure files of all Members are maintained.
- E. In general, shall perform all duties incident to the office of the Secretary and any designated by the President or the Board of Directors

Section 8. Treasurer Duties

- A. The Treasure shall have charge and custody of, and be responsible for, all funds of the Corporation.
- B. Shall receive all funds payable to the Corporation, however, by resolution, the Board of Directors may designate an employee to receive funds, deposit funds in the name of the Corporation in such bank as selected by the Board of Directors and present them to the Treasurer
- C. In general, shall perform all the duties incident to the office of the Treasurer.
- D. The Treasurer shall be bonded.

Section 9. Compensation

By resolution of the Board of Directors, each Officer may be paid a compensation amount as determined by the Board of Directors. Officers are precluded from actively serving the Corporation in any other capacity and receiving compensation therefor. If a short term limited deviation from this rule is needed, that requires a unanimous vote of all the Board of Directors.

ARTICLE VI

MEETINGS

Section 1. Annual Member Meeting

The annual meeting of the Members shall be held in the month of January, for the purpose of electing Directors and for the transaction of such other business as may come before the

meeting. If the day fixed for the annual meeting shall be a legal holiday in the state of Indiana, such meeting will be held on the next business day. The individuals on the Board of Directors shall, upon election, immediately enter into the performance of their duties and shall continue in office until their successors shall be duly elected and qualified.

Section 2. Special Meetings

Special meetings of the Members, for any purpose(s), unless otherwise prescribed by statute, may be called by the President or by the Board of Directors.

Section 3. Place of Meetings

Unless otherwise prescribed by statute, the Board of Directors may designate any place within Dearborn County, Indiana as the location for annual meeting or for any special meeting.

Section 4. Notice of the Meeting

Written notice stating the place, day, and time of the meeting shall be available to the Members through the website, emails, office postings, bill notation, or other reasonable methods of correspondence.

Section 5. Quorum

A majority of the Members of the Corporation entitled to vote, represented in person, shall constitute a quorum. If there is no quorum in this manner, then a simple majority will prevail, meaning one more vote than the opposing side.

Section 6. Voting

Each Membership is entitled to one vote and no Member may be allowed to vote by proxy.

ARTICLE VII

RATES SCHEDULE AND FEES

Every Member of this Corporation using the services of said Corporation shall make contributions to provide funds for capital expenditures and, if necessary, operating expenses for carrying out the Corporation's purposes and objectives.

Assessments against Members and a determination of their liabilities shall be fixed by the Bylaws of the Corporation. Each Member shall pay at least the minimum monthly charges as established by the Board of Directors. Rates will be adjusted from time to time at the discretion of the Board of Directors.

The Member(s) in whose name the Certificate of Membership is prepared shall be responsible for payment of all bills in connection with the service rendered.

Rate Schedule

Current Rates including Cost Ranges

Gallons of Usage	Cost per Thousand	Cost per Gallon	Minimum Bill	Maximum Bill	Minimum Bill with Tax	Maximum Bill with Tax
10,001 & up	\$5.71	\$.00571	\$121.49		\$130.00	
5,001 - 10,000	\$9.13	\$.00913	\$75.84	\$121.49	\$81.15	\$129.99
2,501 - 5,000	\$14.09	\$.01409	\$40.62	\$75.84	\$43.37	\$81.14
0 - 2,500 (Minimum)	\$40.61	\$40.61	\$40.61	\$40.61	\$40.61	\$43.45
Rates effective as of May 1, 2017				Note: IN tax rate is 7%		

FEES:

New Member Lifetime Fee: \$100.00
 New Service Line Tap Fee: \$1,500.00
 Special Meter Reading Fee: \$50.00
 Re-connection Fee: \$80.00
 Meter Re-installation Fee: \$125.00
 Late Charges: 15% of the Delinquent Amount

ARTICLE VIII

METER READING AND BILLING

Bills shall be sent out monthly, but the Corporation reserves the right to vary the dates or length of period covered, temporarily or permanently.

Billing for the water consumption will be calculated in accordance with the Corporation's published rate schedule. Other fees will be applied as set by the Corporation's fee structure.

Bills are due when rendered and considered delinquent if not paid in full by the 17th of each month. If full payment is not made by the due date, the Corporation may or may not give a Member written notice specifying the delinquency. Failure of the Member to promptly pay such delinquent bill shall result in disconnection. Failure to receive bills or notice shall not prevent such bills from becoming delinquent nor relieve the Member from payment.

ARTICLE IX
CONTRACTS AND DEPOSITS

Section 1. Contracts

The Board of Directors may authorize any Officer, employee or agent to enter into any contract on behalf of the Corporation and such authority may be general.

Section 2. Deposits

All funds of the Corporation, not otherwise used for daily operation, shall be deposited to the financial institution designated by the Board of Directors.

ARTICLE X
WAIVER OF NOTICE

Unless otherwise provided by law, whenever any notice is required to be given to any Member or Director of the Corporation under the provisions of these Bylaws; or under the provisions of the Articles of Incorporation; or under the provisions of the Indiana Business Corporation Act; a waiver thereof in writing, signed by the person entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XI
ADOPTION OF HOGAN WATER CORP. MEMBER AGREEMENT
AND INSTRUMENT CONVEYING RIGHT-OF-WAY

The Board of Directors hereby adopts by reference, and includes herein, the HOGAN WATER CORP. Member Agreement and instrument conveying to it Rights-of-Way on their land as so described in the instrument by Members of the Corporation's service.

Duly authorized agents of the Corporation shall have access, at any time to the Premises of the Member for the purpose of installing or removing the Corporation's property, making necessary repairs, inspecting piping, reading or testing meters, or for any other purpose in connection with the Corporation's service and facilities.

Each Member shall grant or convey or cause to be granted or conveyed to the Corporation, without charge but in consideration of the execution of providing water service by the Corporation, a permanent easement and Right-of-Way across any property owned or controlled by the Member wherever said permanent easement and Right-of-Way may be required by the Corporation for the purpose of installing, maintaining, removing and relocating such water transmissions lines as the Supplier may require so as to furnish service to the Member.

ARTICLE XII

CERTIFICATION AND AMENDMENTS

No promise, agreement or representation of any employee of the Corporation shall be binding upon the Corporation except as it shall have been agreed upon in writing, signed, and accepted by the HOGAN WATER CORP. Board of Directors.

No modification of rates or any rules and regulations shall be made by any agent of the Corporation.

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by the Board of Directors at any regular or special meeting of the Board of Directors when deemed necessary.

These Bylaws are certified to have been adopted and approved by the Board of Directors of the HOGAN WATER CORP. on the _____ day of _____, 2021.

President, Board of Directors
HOGAN WATER CORP.

Secretary, Board of Directors
HOGAN WATER CORP.