RURAL MUNICIPALITY OF BIRCH HILLS, No. 460

BYLAW NO. 02/2000

A BYLAW TO PROVIDE FOR ENTERING INTO AN AGREEMENT WITH OTHER MUNICIPALITIES FOR THE PURPOSE OF ESTABLISHING A PUBLIC UTILITY BOARD PUSUANT TO SECTION 228.1 OF THE RURAL MUNICIPALITY ACT, 1989.

The Council of the Rural Municipality of Birch Hills, No. 460 in the Province in Saskatchewan, enacts as follows:

1. PURPOSE

The purpose of this bylaw is to enable the Council to enter an agreement with neighbouring municipalities to establish a Public Utility Board.

2. MUNICIPAL MEMBERSHIP ON PUBLIC UTILITY BOARD

(a) The Rural Municipality of Birch Hills No. 460 is hereby authorized to create a public utility board in conjunction with the following municipalities:

R.M. of Star City, No. 428
R.M. of Kinistino, No. 459
R.M. of Flett's Springs, No. 429
R.M. of Invergordon, No. 430
R.M. of Willow Creek, No. 458
City of Melfort

(b) The public utility board created pursuant to subsection 2(a) shall be known as the Melfort Rural Pipeline Association.

3. TERMS OF AGREEMENT

The terms of the agreement are defined in the Corporate Bylaw of the Melfort Rural Pipeline Association, which is identified as Exhibit "A" and is attached to and forms part of this bylaw.

Earl Muckelson
Reeve

Sandra Barber
Administrator

Certified a true copy of Bylaw 02/2000 adopted by resolution of Council this 14th day of June, 2000.

Sandra Barber
Administrator

(Our Bylaw No. 02/2000)

Exhibit "A" to BYLAW NO. 1-2004
Amended March 23, 2015

CORPORATE BYAW
MELFORT RURAL PIPELINE ASSOCIATION

1. DEFINITIONS
In this bylaw:

(a) "Act" means The Rural Municipality Act, 1989, as amended from time to time, and in the case of such amendment, any references to the bylaws of the Public Utility Board shall be read as referring to amended provisions.

(b) "Public Utility Board" means the Melfort Rural Pipeline Association, a body corporate created pursuant to Section 228.1 of the Act by joint agreement of the following municipalities:

R.M. of Star City	No. 428
R.M. of Kinistino	No. 459
R.M. of Invergordon	No. 430
R.M. of Flett's Springs	No. 429
R.M. of Willow Creek	No. 458
R.M. of Tisdale	No. 427
R.M. of Connaught	No. 457
R.M. of Tisdale	No. 427
R.M. of Birch Hills	No. 460
City of Melfort	

(c) "Board" means the board of the public utility board.

(d) "Member" and "member municipalities" means a rural municipality or urban municipality involved in the agreement establishing the public utility board.

(e) "Subscribers" means persons who subscribe to receive the benefit of the public utility.

2. BUSINESS OF THE PUBLIC UTILITY BOARD

(1) Fiscal Year

(a) The fiscal year of the public utility board shall be the calendar year.
(b) The annual meeting of the subscribers of the public utility board shall be held not later that 90 days following January 1 of each year. Written notice shall be mailed to each subscriber at least 15 days prior to the meeting.

(2) Signing Officers

(a) Contracts, documents or other instruments requiring execution by the public utility board shall be signed on behalf of the public utility board by two persons, one of which shall be secretary-treasurer and one of the Chairman or Vice-Chairman.

(3) Borrowing Powers

The Board may:

(a) borrow money on the credit of the public utility board;
(b) pledge debt obligations of the public utility board;
(c) mortgage, pledge or otherwise create a secured interest in all or any property of the public utility board owned or subsequently acquired, to secure any debt obligations of the public utility board.

(4) Delegation of Powers

The public utility board shall have all the powers conferred on the Council or a Municipality by Section 226 to 240, not including Section 236.

Investing Powers

The Board shall:

(a) maintain an operating account of $100,000.00 subject to revision by the Board from time to time;
(b) make investments to a capital operating investment of any surplus funds in (a) that the Board deems prudent.

(5) Capital Replacement Reserve Fund

The Board may from time to time invest surplus funds from on-going operations into a Capital Replacement Reserve Fund.
The purpose of this fund will be to finance major capital expenditures on repairs or replacements not already covered by routine maintenance and replacement programs.

3. AUDITORS

The board shall appoint an auditor pursuant to subsection 69(2) of the Act.

4. BOARD MEMBERSHIP

(1) To establish the initial utility board the Councils shall appoint a total of eleven (11) members, representative of participating areas, to serve on the Board until the first annual meeting to be held in 1995.
(2) Following the initial establishment of the Board, the subscribers shall annually elect a maximum of eleven (11) Board members who shall constitute the board. Six (6) members to be appointed for a two (2) year term and five (5) members to be appointed for an initial one (1) year term and thereafter, appointments will be made after two (2) years.

5. BOARD DUTIES AND POWERS

(1) (a) The Board shall, when a subscriber chooses to pay his/her allocation over a period of years, collect from such subscribers $300 in advance. The Board shall pass a bylaw setting out the procedure covering the collection of unpaid subscriber allocations or construction cost, along with amounts to be collected annually, either including interest or by adding of interest in the payments, as may be determined by Resolution of the Board at intervals.

(b) All utility Board bylaws and amendments to be sent to all member municipalities when passed by Utility Board.

(c) Subscribers collection levy notices shall be forwarded to the municipality where the Subscriber resides prior to December 31 annually, regarding subscribers who are in arrears, of any funds payable to the Utility Board and the same shall be added to the property taxes of that subscriber under the provisions of The Rural Municipality Act, 1989.

(2) Board Appointment
The Board shall annually appoint:
(a) a chairman and vice-chairman from among their number; and
(b) a secretary-treasurer who may, but need not be, a representative
(c) such other employees as it deems necessary.

(3) Chairman Duties

The Chairman shall preside at all meetings of the board which he is present.

(4) Vice-Chairman Duties

The Vice-Chairman, in the absence of the chairman, shall discharge the duties of the chairman.

(5) Secretary-Treasurer Duties

The Secretary-Treasurer shall:
(a) attend and keep minutes of all meetings of the board;
(b) have charge of the seal, if any, of the public utility board:
(c) conduct the correspondence and have charge of all financial corporate records, books, papers and documents of the public utility board;
(d) perform such other duties and exercise such other powers as are incidental to the office or as may be required, from time to time, by the board.

(6) Bonding

The public utility board may provide for security or fidelty bonding and insurance coverage as deemed necessary.

6. BYLAW AND RULES

The Board may:

(a) enact, amend, repeal or replace bylaws, other than the corporate bylaw, and

(b) make rules, not inconsistent with the corporate bylaw or the Act, governing the management of the public utility board and for the carrying out of the provisions of this bylaw.

7. EFFECTIVE DATE

This bylaw becomes effective on March 23, 2015.