

RURAL MUNICIPALITY OF ANTELOPE PARK NO. 322

BYLAW NO 3-2010

PROVIDE FOR ENTERING INTO AN AGREEMENT WITH OTHER MUNICIPALITIES
FOR THE PURPOSE OF ESTABLISHING A PUBLIC UTILITY

A BYLAW of the Rural Municipality of Antelope Park No. 322 in the Province of Saskatchewan to provide for entering into an agreement with other municipalities for the purpose of establishing a public utility board.

**THE COUNCIL OF THE RURAL MUNICIPALITY OF ANTELOPE PARK NO. 322 IN
THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:**

1. PURPOSE

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

2. MUNICIPAL MEMBERSHIP OF PUBLIC UTILITY BOARD

a) The Rural Municipality of Antelope Park No. 322 is hereby authorized to create a public utility board in conjunction with the following municipalities:

Rural Municipalities:

Rural Municipality of Kindersley No. 290
Rural Municipality of Newcombe No. 260
Rural Municipality of Chesterfield No. 261
Rural Municipality of Snipe Lake No. 259

Urban Municipalities:

Town of Eston
Town of Kindersley

b) The Public Utility Board created pursuant to subsection 2(a) shall be known as The Water West Pipeline Utility

3. TERMS OF AGREEMENT

The terms of this Agreement are defined in the corporate bylaw of the Water West Pipeline Utility which is identified in Exhibit "A" and is attached to and forms part of this bylaw.

RURAL MUNICIPALITY OF ANTELOPE PARK NO. 322

Per:

Reeve

Administrator



*This is a certified true
copy of Bylaw 3-2010
as voted by council
on Apr 14, 2010*

EXHIBIT "A" TO BYLAW NO 3-2010
CORPORATE BYLAW
PUBLIC UTILITY BOARD
WATER WEST PIPELINE UTILITY

1. DEFINITIONS:

In this Bylaw

(a) "Act" means the *Municipality Act 2006* as amended from time to time, and in the case of such amendment, for any references in the bylaw of the Public Utility Board shall be read as referring to the amended provisions.

(b) "Public Utility Board" means the Water West Pipeline Utility, a body corporate created pursuant to subsection 33(2) and 33(3) of the Act by joint agreement of the following Municipalities:

Rural Municipalities:

Rural Municipality of Snipe Lake No. 259
Rural Municipality of Newcombe No. 260
Rural Municipality of Chesterfield No. 261
Rural Municipality of Antelope Park No. 322
Rural Municipality of Kindersley No. 290

Urban Municipalities:

Town of Eston
Town of Kindersley

(c) "Board" means the Board of Directors of the Public Utility Board.

(d) "Member" and "Member Municipality" and "Owner" means a rural municipality or urban municipality involved in the Agreement establishing the Public Utility Board.

(e) "Subscriber" or "Subscribers" means a person or persons who subscribe to receive the benefit of the public utility and includes urban municipalities.

2. BUSINESS OF THE PUBLIC UTILITY BOARD

(a) Fiscal Year End

(i) The fiscal year end of the Public Utility Board shall be the calendar year.

(ii) The annual meeting of the subscribers of the Public Utility Board shall be held not later than 90 days following January 1, of each year. Written notice shall be mailed to each subscriber at least 15 days prior to the meeting. At the annual meeting, the audited financial statement shall be presented to the subscribers.

(b) Signing Officers

(i) 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 the Secretary Treasurer and either the Chairman or Vice-Chairman.

(c) Borrowing Powers

The Board may:

(i) Borrow money on the credit of the Public Utility Board on such terms and conditions as the Board may determine;

(ii) Pledge debt obligations of the Public Utility Board;

(iii) Mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Public Utility Board owned or subsequently acquired, to secure any debt obligation of the Public Utility Board.

3. AUDITORS

The Board shall appoint an auditor pursuant to Section 188 of the Act

4. BOARD MEMBERSHIP

(a) There shall be 14 directors of the Board with each director appointed to serve a one year term.

(b) Each member municipality may appoint a maximum of (2) two directors. These directors do not have to be members of the Member's council and can be subscribers.

(c) Each Member Municipality shall have 1 vote from its appointed members.

5. BOARD DUTIES AND POWERS

(a) All Public Utility Board bylaws and amendments shall be sent to all Member Municipalities when passed by the Board

(b) Board Appointments:

The Board shall annually appoint:

(i) A Chairperson and Vice-Chairperson from among their numbers; and

(ii) A Secretary-Treasurer; and

(iii) such other employees as it deems necessary.

(c) Chairperson duties:

The Chairperson shall preside over all meetings of the Board.

(d) Vice-Chairperson duties:

The Vice-Chairperson, in the absence of the Chairperson, shall discharge the duties of the Chairperson

(e) Secretary/Treasurer duties

The Secretary/Treasurer shall:

- (i) attend and keep the minutes of all meetings of the Board;
- (ii) have charge of all seals, if any, of the Public Utility Board;
- (iii) conduct the correspondence and have charge of all financial corporate records, books, papers and documents of the Public Utility Board;
- (iv) present to the Public Utility Board regular financial statements in a form acceptable to the Board for review;
- (v) 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 fidelity bonding and insurance coverage as deemed necessary.

7. BYLAWS AND RULES

The Board may:

- (a) Enact, amend, repeal or replace bylaws, other than the Corporate Bylaws, 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 the provisions of this bylaw.
- (c) Set the rates for the charges set for the sale of the water by the Utility.

8. DISSOLUTION

In the event that the Public Utility is dissolved, any assets and surplus are to be distributed to the member municipalities and any liabilities of the Board are to be adjusted and settled by the same.

9. EFFECTIVE DATE

This Agreement shall be effective as of the 1st day of March, 2010 as witnessed by the seal of the respective municipalities attested to by the proper signing official in that respect.

RURAL MUNICIPALITY OF KINDERSLEY NO. 290

Per: _____

Reeve _____

Administrator _____

RURAL MUNICIPALITY OF NEWCOMBE NO. 260

Per: _____

Reeve _____

Administrator _____

RURAL MUNICIPALITY OF ANTELOPE PARK NO. 322

Per: _____

Reeve _____

Administrator _____



RURAL MUNICIPALITY OF CHESTERFIELD NO. 261

Per: _____

Reeve _____

Administrator _____



RURAL MUNICIPALITY OF SNIPE LAKE NO. 250

Per: _____

Reeve _____

Administrator _____



TOWN OF ESTON

Per: _____

Mayor _____

Administrator _____



TOWN OF KINDERSLEY

Per: _____

Mayor _____

Administrator / Chief Administrative Officer _____

