

BYLAW NO. 07-2007

**A BYLAW RESPECTING THE ESTABLISHMENT, MANAGEMENT AND
REGULATION OF A PUBLIC UTILITY BOARD**

The Council of the Rural Municipality of Lumsden No.189, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS:

For the purpose of this bylaw, the following terms and words shall have the following meanings:

- (a) "Act" means "The Municipalities Act", as amended from time to time, and in the case of such amendment, any references in the Bylaws of the Public Utility Board shall be read as referring to the amended provisions.
- (b) "Public Utility Board" means the "Twin Valley Water Co-operative Ltd. Public Utility Board", a body corporate created pursuant to Section 33(2) of the Act.
- (c) "Board" means the board of the Public Utility Board.
- (d) "Member" and "Member Municipality" means a Rural Municipality or Urban Municipality involved in the agreement establishing the Public Utility Board.
- (e) "Subscribers" means persons who are taxpayers of Member Municipalities who subscribe to receive the benefit of the public utility.

2. BUSINESS OF THE PUBLIC UTILITY BOARD:

(a) **Fiscal Year**

- i) The fiscal year 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 ninety (90) days following January 1st each year. Written notice shall be mailed to each subscriber at least fifteen (15) days prior to the meeting.

Corporate Bylaw

(a) **Signing Officers:**

Contracts, documents or other instruments requiring execution by the Public Utility Board shall bear the official seal of the board and be signed on behalf of the Public Utility Board by two persons, one of which shall be the Secretary-Treasurer and the other shall be either the Chairman or Vice-Chairman.

(b) **Borrowing Powers:**

The Board may:

- i) Borrow money on the credit of the Public Utility Board;
- ii) Pledge debt obligations of the public 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;
- 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.

(c) **Delegation of Powers:**

The Public Utility Board shall have all powers conferred on a Council or the Municipality by Sections 23 to 32 of the Act.

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3. **AUDITORS:**

The Board's Auditor shall be the same Auditor as appointed by council pursuant to Subsection 188(2) of the Act.

4. **BOARD MEMBERSHIP:****Elected by Subscribers**

The subscribers shall annually elect at least five (5) of their number, for a two (2) year term, who shall constitute the Board.

5. **BOARD DUTIES AND POWERS:**(a) **Board Appointments:**

The Board shall annually appoint:

- i) a Chairman and Vice-Chairman from among their number;
- ii) a Secretary who may, but need not be, a board member with all the duties and powers of any other elected Board member; and
- iii) such other employees as it deems necessary

(b) **Chairman Duties:**

The Chairman shall preside at all meetings of the Board.

(c) **Vice-Chairman Duties:**

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

(d) **Secretary Duties:**

The Secretary shall:

- i) attend and keep minutes of all meetings of the Board;
- ii) forward a copy of all meeting minutes to member municipalities within 30 days of conducting a meeting;
- iii) have charge of the seal of the Public Utility Board;
- iv) conduct the correspondence and have charge of all financial corporate records, books, papers and documents of the Public Utility Board;
- 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;
- vi) make weekly deposits or when the funds on hand exceed \$5,000.00 daily;
- vii) forward, annually, a copy of all liability, building or equipment insurance held by the board, within 30 days of a policy renewal;
- viii) forward the Board's Audited Financial Statement to the Municipality within 90 days of preparation.

(e) **Executive Committee:**

The executive shall consist of the Chairman, Vice-Chairman and Secretary and shall be appointed annually by the Board of Directors to manage the day-to-day operation of the Utility Board and to report to the Board of Directors on a regular basis.

(f) **Bylaws and Rules:**

The Board may:

- i) enact, amend, repeal or replace Bylaws, other than the Corporate Bylaw; and
- ii) 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.

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(g) **Bonding:**

The Public Utility Board shall at all times maintain security, fidelity, property damage and liability insurance coverage in respect of its employees, officers, Directors and assets, and shall produce evidence of the same as may be required from time to time by any Member Municipality.

6. Effective Date:

This Bylaw shall come into force on the day of its final passing.


READINGS

1st Reading the 10th day of August, 2007

2nd Reading the 14th day of September, 2007

Adoption on the 14th day of September, 2007






REEVE



ADMINISTRATOR

Certified to be a true copy of Bylaw No. 7-2007 passed by resolution of Council at a meeting held on the 14th day of September, 2007.



ADMINISTRATOR

