

BYLAW. 5/97

A BYLAW TO ASSOCIATE THE RURAL MUNICIPALITY OF LUMSDEN NO. 189 WITH THE SOUTHEAST REGIONAL LIBRARY AND TO ENTER INTO AGREEMENT WITH THE ASSOCIATED MUNICIPALITIES FOR ESTABLISHING AND OPERATING A REGIONAL LIBRARY

WHEREAS the Rural Municipality of Lumsden No. 189, together with the municipalities listed on the attached schedule, pursuant to the Public Libraries Act, 1996, have associated themselves each with the others in establishing and operating a regional library to be known as

THE SOUTHEAST REGIONAL LIBRARY

AND WHEREAS the terms of such association to be performed by each of the said municipalities have been set out in an agreement attached as Schedule "A" to this Bylaw and have been confirmed by Bylaw of each of the said municipalities;

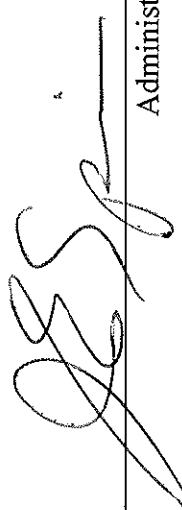
AND WHEREAS the said agreement provides for the admission of other municipalities for the said purpose and upon the same terms:

NOW THEREFORE THE Reeve and the Council of the Rural Municipality of Lumsden No. 189

IN OPEN MEETING ASSEMBLED ENACT AS FOLLOWS:

1. This bylaw shall be known as the Regional Library Bylaw.
2. It shall be lawful for the Rural Municipality of Lumsden No. 189 to enter into the said agreement with the said associated municipalities and with such other municipalities as have been or may be admitted as associated municipalities for the said purpose which agreement is incorporated as Schedule "A" to this Bylaw and forms part hereof.
3. The Reeve and Administrator are hereby authorized, empowered and directed to execute the said agreement on behalf of the Rural Municipality of Lumsden No. 189 and to attach the Corporate Seal of the Rural Municipality of Lumsden No. 189 thereto and to do or cause to be done all acts, matters and things which may be necessary for the due performance and fulfillment of the terms of the said agreement.
4. Bylaw No. 4/92 passed on the 4th day of May, 1992 is hereby repealed.
5. This Bylaw shall come into force and take effect from and after the day of the final passing thereof.


Reeve


Administrator

Certified a True Copy
of Bylaw No. 5/97
passed by Resolution of
Council at a meeting held on May 5, 1997


Administrator

**An Agreement By and Between the
Municipalities Comprising the Southeast Regional Library**

Agreement made between the municipalities comprising the Southeast Regional Library.

WHEREAS, *The Public Libraries Act, 1996* (the "Act") requires that the council of every municipality within the Southeast Regional Library boundaries shall enter into a regional library agreement with the council of every other municipality within the regional library boundaries, for the purpose of providing regional library services within those boundaries; and

WHEREAS, the council of the Rural Municipality of Lumsden No. 189 has, in accordance with the Act, passed a bylaw approving the association of the said Southeast Regional Library with every other municipality within the regional library boundaries which executes under seal a like agreement;

NOW THIS AGREEMENT WITNESSETH that the Rural Municipality of Lumsden No. 189 hereby agrees to associate itself with every other municipality within the regional library boundaries in the establishment and operation of a regional library pursuant to the Act, and the regulations thereunder (the "Regulations"), and upon the following covenants, undertakings and conditions:

I. ASSOCIATION:

The municipalities listed in Schedule A, (the "participating municipalities"), hereby agree to associate and participate with each other in the operation of a regional library to be known as the Southeast Regional Library.

2. PURPOSE:

The purpose of the said regional library shall be to provide public library services within its boundaries in accordance with the Act and Regulations and Regional Library Board Bylaws and Policy Statements as amended from time to time.

3. TERM:

- a) This Agreement is a continuing agreement and shall not be terminated unless the Regional Library Board is dissolved in accordance with the Act and regulations.
- b) The Regional Library Board shall conduct a review of this Agreement at least once every five years and on the request of any party to this Agreement. A request for a review must be in writing to the secretary of the Regional Library Board with a copy to the Provincial Librarian.
- c) The Regional Library Board shall conduct the review within 12 months of receiving the written request and, if appropriate, shall prepare a revised agreement for the approval of the municipalities.
- d) Any changes to the Agreement brought about by a review are subject to the approval of two thirds of the participating municipalities representing two-thirds of the participating population. Changes to the Agreement are effective and binding on all participating municipalities when the changes have been approved in writing and signed by the appropriate signing officers of each of the participating municipalities representing two-thirds of the participating municipalities and representing two-thirds of the participating population.
- e) Disputes arising out of the interpretation or performance of this Agreement are to be dealt with by mediation pursuant to section 23 of the Regulations and, where the mediation fails to resolve the dispute or the parties do not agree to mediation, by arbitration in accordance with section 11 of the Regulations, with any necessary changes.

4. REGIONAL LIBRARY BOARD

a) Name

The general management, control, and operation of a regional library is vested in a Regional Library Board, to be known as "The Southeast Regional Library."

b) Regional Library Board Composition

The Regional Library Board is a corporation, consisting of one member appointed by each municipality that participates in the regional library agreement for each 5,000 of its population, or fraction thereof, appointed from among the electors resident within the municipalities participating in the regional library.

If there is a local library board in a municipality that participates in a regional library agreement, the council shall appoint persons who are members of the local library board as members of the regional library board.

c) Regional Library Board Powers

The Regional Library Board may acquire, rent or lease and maintain any necessary lands and buildings, or erect any necessary buildings; sell, exchange, lease or otherwise dispose of any of its lands or buildings no longer required for public library purposes; borrow on the security of its assets for the purpose of operating the public library or for the purchase of equipment; establish and maintain a capital fund to be used for the acquisition or leasing of buildings and equipment; invest any part of the capital fund or other moneys of the public library board in any security or class of securities authorised for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*, and dispose of the investments it considers appropriate; accept any gift, grant, devise or bequest of any property or moneys made to it; act as a trustee of any moneys or property given in any manner for the support of the library system; enter into any agreements for the purposes of performing the duties imposed and exercising the powers conferred on it by the Act; and do anything that it considers necessary or incidental to carrying out its duties or exercising its functions or that it considers necessary or incidental to carrying out the purposes of the Act.

The Regional Library Board may designate, in co-operation with the council of a participating municipality that has a local library, any number of those local libraries as regional reference centres in order to provide information and reference services for the region.

The Regional Library Board may enter into any agreements or arrangements necessary to facilitate the participation of Aboriginal peoples in the regional library system.

A Regional Library Board may enter into an agreement with any other organisation for the purpose of providing public library services pursuant to section 5 of the Act from a single facility.

d) Regional Library Board Duties

It is the duty of the Regional Library Board to provide public library services to the residents of Saskatchewan within the area it serves; subject to the approval of the minister, to designate the location of the headquarters of the regional library, to appoint staff, to prepare a policy statement to govern the operations of its libraries; to make bylaws; to administer regulations on the use of libraries and materials; and to keep records and accounts as provided in the Act and Regulations.

The Regional Library Board is not responsible for any disruption of services due to acts of God or other cause for which the Regional Library Board is not responsible.

5. REGIONAL LIBRARY BOARD MEETINGS/QUORUM:

- a) A Regional Library Board shall hold its annual meeting between January 1 and May 15 in each year in accordance with Section 35 of the Act.
- b) The date of the annual meeting may be fixed by the Executive Committee.
- c) Except where a Regional Library Board, by bylaw, otherwise provides, a majority of the members of the Regional Library Board or of the executive committee present constitutes a quorum, in accordance with Section 36 of the Act.

6. EXECUTIVE COMMITTEE

- a) At its annual meeting, the Regional Library Board shall elect from among its members a chairperson and an executive committee to carry out the day-to-day business of the Regional Library Board and the operation of the regional library in accordance with the Act.
- b) Any other officers as determined by the Regional Library Board shall be elected from and by the regional board members in accordance with the Act and Regional Library Board bylaws.
- c) The library director of the regional library is the secretary to the Regional Library Board and to all committees of the Regional Library Board.
- d) The executive committee shall serve with the powers and responsibilities as determined in the bylaws passed by the Regional Library Board.

7. LIBRARY FACILITIES

- a) The councils of participating municipalities shall ensure that accommodation for local libraries is provided and shall be in accordance with the standards prescribed for library facilities in accordance with the regulations.
- b) The councils of participating municipalities whose residents use a local library shall make decisions regarding the local library facility and its location in consultation with the local library board and the regional library board.

8. FINANCE:

- a) The regional library shall be financed by grants from the Provincial Government and by levy payments made by each municipality, in accordance with the Act and Regulations.

- b) The Regional Library Board shall determine the amount of the annual levies to be made by each participating municipality.
- c) Where a municipality contributes more than 25% of the annual municipal grants made to a Regional Library Board, the Regional Library Board shall not require any increase in the amount of the grant unless the municipality agrees.
- d) The Regional Library Board, by bylaw, may set out procedures for the payment of levies, set the date by which levies shall be paid and set out the manner in which interest is to be calculated on amounts not paid when due.
- e) Participating municipalities shall make payments of the levies and interest in accordance with the bylaw passed by the Regional Library Board.
- f) The councils of participating municipalities shall ensure that accommodation for local libraries is provided in accordance with the Regulations and shall contribute financially in an amount determined by the council for the provision and maintenance of that accommodation.

9. DISESTABLISHMENT AND DISPOSAL OF ASSETS:

In the event of the discontinuance of the regional library or the dissolution of the Regional Library Board, the affairs and assets of the library will be wound up in accordance with the Act and regulations.

10. SEVERANCE:

Any term or condition of this Agreement that is or is held to be void, prohibited, unenforceable or inconsistent with the provisions of the Act or regulations is severable from the Agreement without in any way invalidating the remaining terms or conditions of the Agreement.

11. APPLICABLE LAW:

This agreement is to be construed in accordance with the laws of Saskatchewan.

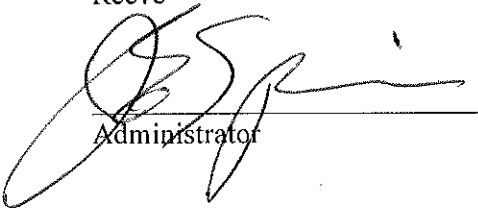
12. COUNTERPARTS:

This Agreement may be executed in any number of counterparts and all these counterparts shall for all purposes constitute one agreement, binding on the parties, notwithstanding that all parties are not signatory to the same counterpart.

IN WITNESS WHEREOF THE Rural Municipality of Lumsden No. 189 hereto affixed its corporate seal and duly attests by the hands of its officers authorised in this behalf this 5th day of May A.D. 1997.



Reeve



Administrator

SCHEDULE A: ASSOCIATED MUNICIPALITIES (Cont.)

Rural Municipalities (56)

| R.M. | Population | R.M. | Population |
|-------------------|------------|----------------------|------------|
| 1 Argyle | 360 | 70 Key West | 514 |
| 2 Mount Pleasant | 486 | 91 Maryfield | 489 |
| 3 Enniskillen | 545 | 92 Walpole | 527 |
| 4 Coalfields | 440 | 93 Wawken | 737 |
| 5 Estevan | 1,139 | 94 Hazelwood | 415 |
| 6 Cambria | 391 | 95 Golden West | 526 |
| 7 Souris Valley | 444 | 96 Fillmore | 422 |
| 8 Lake Alma | 345 | 97 Wellington | 424 |
| 9 Surprise Valley | 274 | 98 Scott | 343 |
| 10 Happy Valley | 222 | 99 Caledonia | 462 |
| 31 Storthoaks | 478 | 121 Moosomin | 522 |
| 32 Reciprocity | 497 | 122 Martin | 387 |
| 33 Moose Creek | 460 | 123 Silverwood | 639 |
| 34 Browning | 550 | 124 Kingsley | 584 |
| 35 Benson | 496 | 125 Chester | 588 |
| 36 Cymri | 531 | 126 Montmartre | 649 |
| 37 Lomond | 436 | 127 Francis | 803 |
| 38 Laurier | 471 | 128 Lajord | 1,032 |
| 39 The Gap | 320 | 129 Bratt's Lake | 391 |
| 40 Bengough | 467 | 151 Rocanville | 679 |
| 61 Antler | 655 | 153 Willowdale | 499 |
| 63 Moose Mountain | 581 | 154 Elcapo | 732 |
| 64 Brock | 329 | 156 Indian Head | 486 |
| 65 Tecumseh | 383 | 157 South Qu'Appelle | 1,128 |
| 66 Griffin | 465 | 158 Edenwold | 2,349 |
| 67 Weyburn | 885 | 159 Sherwood | 1,093 |
| 68 Brokenshell | 348 | 187 North Qu'Appelle | 717 |
| 69 Norton | 346 | 189 Lumsden | 1,279 |

Indian Bands (7)

| Indian Band | Population | Indian Band | Population |
|-----------------------|------------|-------------------------|------------|
| Kahkewistahaw | 302 | Standing Buffalo | 294 |
| Muscowpetung | 224 | Cowesses Comm. Ctr. | 255 |
| Pasqua Indian Reserve | 280 | White Bear First Nation | 703 |
| Piapot First Nation | 442 | | |

SUMMARY

| <u>Municipalities</u> | <u>Population</u> |
|--------------------------|-------------------|
| 2 Cities | 19,913 |
| 32 Towns | 28,848 |
| 52 Villages | 9,721 |
| 56 Rural Municipalities | 32,760 |
| 7 Indian Bands & Schools | 2,500 |
| <u>149</u> | <u>93,742</u> |

SCHEDULE A: ASSOCIATED MUNICIPALITIES

As of 1 January 1997

Cities (2)

| City | Population | City | Population |
|---------|------------|---------|------------|
| Estevan | 10,240 | Weyburn | 9,673 |

Towns (32)

| Town | Population | Town | Population |
|-----------------|------------|--------------|------------|
| Alameda | 317 | Milestone | 593 |
| Arcola | 496 | Moosomin | 2,436 |
| Balgonie | 1,096 | Ogema | 383 |
| Bengough | 527 | Oxbow | 1,132 |
| Bienfait | 799 | Pilot Butte | 1,450 |
| Broadview | 797 | Qu'Appelle | 671 |
| Carlyle | 1,181 | Radville | 846 |
| Carnduff | 1,062 | Redvers | 936 |
| Fort Qu'Appelle | 1,953 | Regina Beach | 921 |
| Francis | 205 | Rocanville | 842 |
| Grenfell | 1,164 | Sintaluta | 185 |
| Indian Head | 1,827 | Stoughton | 721 |
| Kipling | 1,005 | Wapella | 429 |
| Lampman | 647 | Wawota | 654 |
| Lumsden | 1,477 | Whitewood | 1,064 |
| Midale | 497 | Yellow Grass | 535 |

Villages (52)

| Village | Population | Village | Population |
|---------------|------------|--------------|------------|
| Alida | 179 | Kennedy | 296 |
| Antler | 71 | Kenosee | 163 |
| B-Say-Tah | 174 | Khedive | 21 |
| Benson | 85 | Kisbey | 219 |
| Buena Vista | 276 | Lake Alma | 66 |
| Carievale | 234 | Lang | 206 |
| Ceylon | 163 | Lebret | 201 |
| Colgate | 45 | Macoun | 157 |
| Creelman | 134 | Manor | 326 |
| Disley | 60 | Maryfield | 408 |
| Edenwold | 175 | McLean | 262 |
| Fairlight | 68 | McTaggart | 122 |
| Fillmore | 328 | Minton | 124 |
| Forget | 68 | Montmartre | 471 |
| Fort San | 261 | North Portal | 164 |
| Gainsborough | 301 | Odessa | 239 |
| Gladmar | 53 | Osage | 33 |
| Glen Ewen | 152 | Pangman | 248 |
| Glenavon | 237 | Roche Percee | 154 |
| Goodwater | 34 | Storthoaks | 129 |
| Grand Coulee | 276 | Torquay | 285 |
| Halbrite | 111 | Tribune | 64 |
| Hardy | 18 | Vibank | 375 |
| Heward | 25 | White City | 862 |
| Katepwa South | 32 | Wilcox | 230 |
| Kendal | 90 | Windthorst | 246 |