

Rural Municipality of Eldon No. 471

BYLAW No. 2 / 2004

A Bylaw To Provide For The Entering Into An Agreement Pursuant To Section 254 of *The Rural Municipality Act 1989* For The Purpose Of Providing Engineering Services.

The Council of the Rural Municipality of Eldon No. 471 in the Province of Saskatchewan, enacts as follows:

1. The Rural Municipality of Eldon No. 471, is hereby authorized to enter into an agreement with the Council of the Rural Municipality of Britannia No.502 for the purpose of providing engineering services, the terms of which are attached hereto and marked Exhibit "A".
2. The Reeve and Administrator of the Rural Municipality of Eldon No. 471 are hereby authorized to sign and execute an agreement, the terms of which are set out in Exhibit "A" here before referred to.

REEVE

_____(S E A L)

ADMINISTRATOR

Certified a true copy of Bylaw No. 2-2004
passed by resolution of Council on the
4th day of February, 2004.

Administrator

EXHIBIT "A"

This agreement made in quadruplicate this 4th day of February, 2004 between:

The Rural Municipality of Eldon No. 471

AND

The Rural Municipality of Britannia No. 502

Whereas, the Rural Municipality of Eldon No. 471 and the Rural Municipality of Britannia No. 502 wish to provide engineering services to the Municipalities, by means of a Board created, whereas pursuant to Section 254(3) of *The Rural Municipality Act 1989* such a board being a body corporate.

Therefore the parties hereto agree:

I. DEFINITIONS:

1. "Board" means the Britannia/Eldon Engineering Department and is referred to hereinafter as the "Department."

II. AREA:

1. The Department shall provide engineering services to the specific area as follows:

The entire Rural Municipality of Eldon No. 471 and;
The entire Rural Municipality of Britannia No. 502;
2. The Department shall not operate outside the above referenced described municipalities, unless and except where a valid agreement is in effect.

III. FINANCIAL:

1. The R.M.'s shall provide a capital grant to the department, with the financial contributions of each municipality to be equal and the amount to be predetermined by the municipalities.
2. The department shall submit a budget to the municipalities no later than February 1st of each year, with the exception of the initial year of operation.
3. The department shall provide to the municipalities an audited financial statement in accordance with time frames as required for reporting by rural municipalities under the provisions of the Rural Municipality Act.
4. An annual meeting shall be held no later than February 1st, of each year between the department and both rural municipalities where the department will provide a detailed budget for the upcoming year of operation.
5. Upon commencement of each operating year the municipalities shall establish the amount of operational funds required for the first quarter operations of the fiscal year and advance the amount to the department.

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Exhibit "A" to Bylaw No.

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6. The department shall set a schedule of fees for the provision of engineering services and the said schedule of fees shall be reviewed and shall not take effect until approval by each respective council.
7. The department shall provide an operational report on a monthly basis and invoice for actual costs incurred for services provided on a quarterly basis.

IV. BOARD OPERATION:

1. The Britannia/Eldon Engineering Department Board shall be comprised of two (2) Members of Council or their alternates to be appointed by each respective municipality and the Reeve of each municipality as members ex-officio.
2. All six members shall have voting privileges and shall vote on each and every question.
3. Motions shall be passed on a greater than 50% majority vote.
4. A majority of members shall constitute a quorum.
5. The chairperson and vice-chairperson of the board shall be elected by the members of the board on an annual basis.
6. Minutes shall be kept at all board meetings and copies shall be available to the municipalities.
7. The Board shall contract with either the R.M. of Britannia No. 502 or the R.M. of Eldon No. 471 for the provision of administration services.
8. Meetings shall be at the call of the chairperson or vice-chairperson in the absence of the chair-person.

V. OPERATIONAL RESPONSIBILITIES:

1. The Board shall contract with either the R.M. of Britannia No. 502 or the R.M. of Eldon No. 471 for the provision of engineering technician services.
2. The Reeve of the Municipality which has entered into a contract with the Board for the provision of engineering technician services shall temporarily suspend the engineering technician when the conduct of such individual is not consistent with the operation as determined by the Board.

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EXHIBIT "A" to Bylaw No. 22-2002

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VI. TERMINATION OF AGREEMENT:

1. This agreement can be terminated by either the Rural Municipality of Britannia or the Rural Municipality of Eldon by providing twelve months written notice to the other party.
2. In the event of termination, all assets and liabilities of the Britannia/Eldon Engineering Board shall become sole property of the municipalities. The assets shall have their fair market value determined and shall be divided 50%-50% between the two municipalities.

IN WITNESS WHEREOF the parties hereunto have caused their respective corporate seals to be affixed hereto, as attested by their proper respective officers on the date and year first written above.

THE RURAL MUNICIPALITY OF ELDON NO. 471

REEVE

(S E A L)

ADMINISTRATOR

THE RURAL MUNICIPALITY OF BRITANNIA NO. 502

REEVE

(S E A L)

ADMINISTRATOR