

BYLAW NO. 96-02

A BYLAW TO PROVIDE FOR THE ENTERING INTO AN AGREEMENT TO ESTABLISH THE MIDALE FIRE AND RESCUE BOARD

The Council of the R. M. of Cymri #36, in the province of Saskatchewan enacts as follows:

1. The R. M. of Cymri is hereby authorized to enter into an agreement, a copy of which is attached hereto and forms part of this Bylaw and identified as Exhibit "A" with the Town of Midale for the purpose stated within the agreement.
2. The Reeve and Administrator of the R. M. of Cymri #36 are hereby authorized to sign and execute the attached agreement identified as Exhibit "A".



[Redacted Signature]

Reeve Ferdy Kuhn

[Redacted Signature]

Administrator Curtis Herzberg

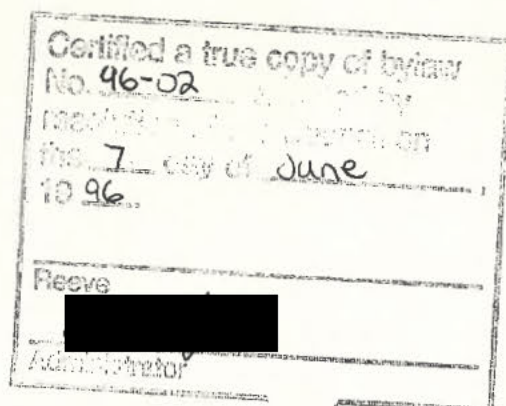


EXHIBIT "A"

MIDALE FIRE AND RESCUE BOARD

THIS AGREEMENT made in duplicate this 7 day of June
A.D. 1996.

BETWEEN:

RURAL MUNICIPALITY OF CYMRI NO. 36, in the Province of Saskatchewan
(hereinafter referred to as the "RM")
OF THE FIRST PART

-AND-

THE TOWN OF MIDALE, in the Province of Saskatchewan
(hereinafter referred to as the "Town")
OF THE FIRST PART

WHEREAS the RM and the Town wish to associate with each other for the purpose of constituting and creating a Board to be known as the "Midale/Cymri Fire and Rescue Board";

AND WHEREAS the RM and Town wish to set forth the role of the RM Council and the Town Council (hereinafter referred to as the "Councils") in relation to the Midale/Cymri Fire and Rescue Board;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of these premises, covenants, promises and agreements hereinafter set forth, and subject to the terms and conditions hereinafter stated, the parties hereto jointly and severally agree as follows:

ESTABLISHMENT OF THE MIDALE/CYMRI FIRE AND RESCUE BOARD

1. Pursuant to the right of delegation given to the RM under Section 172 of THE RURAL MUNICIPALITIES ACT and to the Town under Section 175 of THE URBAN MUNICIPALITIES ACT, the parties hereto agree to the establishment of the Midale/Cymri Fire and Rescue Board (hereinafter referred to as the "Board").

POWERS, RESPONSIBILITIES AND OBLIGATIONS OF THE BOARD

2. The Board is entrusted with such powers, responsibilities, and obligations as are allowed by Section 172 of The Rural Municipalities Act and Section 175 of The Urban Municipalities Act, the Board shall have the general power to:

- (a) manage, operate, maintain and use the fire fighting and or emergency response equipment and storage facilities;
- (b) to set rates and levy charges on all service calls and other fees for specific services as the Board shall from time to time determine;
- (c) to make expenditures in connection with the operation and maintenance of the board and equipment;
- (d) to enter into reciprocal agreements with other municipalities to provide services;
- (e) to enter into fee for services agreements;
- (f) to enter into leasing agreements for equipment, vehicles and any other required equipment.

COMPOSITION OF THE BOARD

3. The Board shall consist of four (4) members, to be appointed by resolution of the Councils as follows:

- (a) one (1) member from each of the Councils;
- (b) one (1) member from the Midale Fire & Rescue
- (c) one (1) member from the E.M.O.

TERM OF OFFICE

4. The membership shall be appointed for a one (1) year term in the year the Board is initially established. Thereafter, all Board members shall be appointed for a term of one (1) year. Members of the Board shall be eligible for reappointment.

5. The seat of a member shall become vacant upon the receipt of a written notice of his or her resignation by the Secretary- Treasurer.

6. The Secretary-Treasurer shall bring to the attention of the Councils at their next regular meeting any vacancies as they arise.

7. The Councils shall, by resolution at the first meeting following the receipt of the notice of vacancy, fill the vacancy by resolution.

8. The Councils may, by resolution, remove any person appointed and appoint another person to replace him or her. In the case of the two appointed members, both Councils must agree to appoint or remove a member.

ELECTION OF CHAIRPERSON, VICE-CHAIRPERSON AND SECRETARY TREASURER

9. The Board shall, as soon as possible after its members are appointed and annually thereafter, elect a vice-chairperson and such other officers as it may deem necessary to properly conduct its business. The chairperson shall be a representative of the Town or the R.M. rotating annually (initially the Town's representative shall be the Chairman).

QUORUM

10. More than one-half (1/2) of the registered members shall constitute a quorum.

MEETINGS

11. The Board shall meet at least six times a year, at a time and place as set by resolution of the Board at the first meeting of the Board each year.

12. The Secretary-Treasurer shall at the request of the chairperson or one-third (1/3) of the members, call a special meeting at a date specified in the request.

13. All members of the Board present shall vote on each question.

14. The Chairperson shall preside at all meetings.

15. If the Chairperson should be unable to attend the meeting, the Vice-Chairperson shall preside.

16. All actions of the Board shall be entered in the minute book, to be kept for this purpose and signed by the presiding officer and the secretary-treasurer.

17. Copies of the minutes shall be presented to the Councils at the first meeting following the Board meeting. Those items that require the action of the Councils shall be so noted.

18. Upon approval of the minutes, at the next regular meeting of the Board, the Chairperson and the Secretary-Treasurer shall initial each page.

COMMITTEES OF THE BOARD

19. The Board may constitute such committees as it sees fit to carry out its purpose and duties, comprised of such persons as it sees fit, whether members of the Board or not. Notwithstanding, the Board shall appoint a Board member to be the Chairperson of any committee constituted by the Board.
20. The duties of such committee shall be those from time to time designated by the Board.
21. The Chairperson of each committee shall annually submit a written report of the activities related to his or her respective committee to the Board at its last meeting in each fiscal year, along with any suggestions or recommendations for the ensuing fiscal year.

EMPLOYEES OF THE BOARD

22. The Board may hire, suspend or dismiss any employees to assist it in carrying out its duties. The position of Treasurer must be a bondable position.

FISCAL YEAR

23. The fiscal year of the Board shall be January 1 to December 31 of each year.

FINANCIAL RECORDS

24. The Board shall adopt and maintain only banking arrangements and good accounting practices that are acceptable to both the Councils, and shall keep such books of account and submit such statements from time to time as the Councils require. In particular, the Board shall do the following:
- (a) establish a bank account in a credit union or chartered bank;
 - (b) designate the Chairperson or Vice-Chairperson and the Secretary-Treasurer as the signing officers of the Board;
 - (c) each month, have the Secretary-Treasurer provide a written statement of cash receipts and payments to the Board with respect to the Board's previous month's activities.

FUNDING AND FUND RAISING

25. The Board will have no right to appropriate public monies, but it is authorised to raise funds necessary for the carrying on of its functions, by any legal means at its disposal, and all revenues earned by the Board shall accrue to the Board.

APPROVAL OF ESTIMATES BY COUNCILS

26. The Board shall submit to the Councils for their approval the estimates of the Board for the current year before the 28th day of February, 1997 and for each year thereafter, before the 28th day of February in each year, in the form prescribed by the Councils.
27. The Board may also, at any time during the year, submit to the Councils for their approval estimates of the Board for extraordinary expenses in the form prescribed by the Councils.
28. The Councils may provide any sums of money required by the Board to carry out its powers and duties on an equally shared basis.

LIMIT ON THE BOARD'S EXPENDITURES AND INDEBTEDNESS

29. The Board shall expend only those monies included in estimates approved by the Councils.

LIABILITY INSURANCE

30. The Councils agree to purchase liability insurance to cover the Boards activities. The amount of the said insurance shall be approved by resolution of the Councils. The insurance shall be obtained by the Town, and the cost of said insurance shall be divided equally between the RM and the Town.

CARRY OVER OF FUNDS

31. Any surplus of funds held by the Board at the end of any fiscal year shall be retained and administered by the Board.

AUDIT AND AUDITOR

32. The records of the Board shall be audited annually at the end of each fiscal year in accordance with The Urban and Rural Municipalities Acts.

33. Pursuant to Section 69 of The Rural Municipalities Act, the books of account and records of the Board must be examined by an auditor, the cost of which will be borne equally by the R. M. Of Cymri #36 and the Town of Midale.

ANNUAL REPORT OF THE BOARD

34. On or before the 1st day of April in each year, the Board shall submit a written detailed annual report of the preceding year's activities to the Councils, and that report shall include a duly audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statements.

TERM OF AGREEMENT

35. The RM and the Town mutually agree that this Agreement shall be continuous and renegotiation of all terms may be initialled and undertaken at any time on recommendation of the Board and mutual agreement of the Councils.

36. In the event that either party desires to withdraw or otherwise terminate this Agreement, that party shall give at least one year written notice to that effect. Such notice shall be given on or before December 31, to be effective on December 31 in the year following.

37. Should the Board cease to exist or function for any cause whatsoever, any surplus from the operation of the Board shall be distributed to the RM and the Town, in proportion to their direct financial distribution which they made to the Board during its existence.

AVAILABILITY OF EMERGENCY RESPONSE SERVICES

38. The parties to this Agreement agree that the Emergency Response Services and programs be available to all residents of each of the parties hereto on an equal opportunity basis.

IN WITNESS WHEREOF the RM and the Town have hereto affixed their corporate seals and duly attested by the hands of their officers authorised in this behalf, all on the day and year written above.

R. M. OF CYMRI NO. 36

[REDACTED]

REEVE FERDY KUHN

[REDACTED]

ADMINISTRATOR C. HERZBERG

TOWN OF MIDALE

[REDACTED]

MAYOR VERA DOUGLAS

[REDACTED]

ADMINISTRATOR B. LUDWIG

