

BYLAW NO. 2025-03

A BYLAW OF THE RURAL MUNICIPALITY OF MERVIN No. 499 FOR THE ESTABLISHMENT OF A PUBLIC UTILITY BOARD PURSUANT TO SECTION 33 OF THE MUNICIPALITIES ACT

The Council of the Rural Municipality of Mervin No. 499, in the Province of Saskatchewan, enacts as follows:

1. PURPOSE

The purpose of this bylaw is to enable Council to establish a Public Utility Board for the establishment and operation of a water supply system.

2. MUNICIPAL MEMBERSHIP ON PUBLIC UTILITY BOARD

- a. The Rural Municipality of Mervin No. 499 is hereby authorized to create a Public Utility Board.
- b. The Public Utility Board created pursuant to subsection 3 shall be known as the Crystal Bay Sunset Public Utility Board.
- c. The Crystal Bay Sunset Public Utility Board covers the geographic area known as the Organized Hamlet of Crystal Bay Sunset Beach at Brightsand Lake.

3. TERMS OF AGREEMENT

The Terms of the Agreement are defined in the corporate bylaw of the Crystal Bay Sunset Public Utility Board, which is identified as Exhibit "A" and is attached to and forms part of this bylaw.

4. Bylaw #95-3 and any subsequent amendments are hereby repealed in their entirety.

(SEAL)



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Reeve

Shirley Bronken
Chief Administrative Officer

Read a first time at the March 18, 2025 regular meeting.
Read a second time at the March 18, 2025 regular meeting.
Read a third time with adoption at the April 8, 2025 regular meeting.

Certified a true copy of
Bylaw No. 2025-03 adopted by
resolution of Council this

..... day of APRIL, 2025

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Reeve

Shirley Bronken
Chief Administrative Officer



EXHIBIT "A" TO BYLAW NO. 2025-03
CRYSTAL BAY SUNSET PUBLIC UTILITY BOARD
CORPORATE BYLAW

1. Definitions:

- 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) "Board" means the Board of Directors of the Crystal Bay Sunset Public Utility.
- c) "Member Municipality" means the Rural Municipality of Mervin No. 499 involved in the agreement to establish the Public Utility.
- d) "Municipal Designate" means a member of council or an individual appointed by the Member Municipality.
- e) "Public Utility" means the Crystal Bay Sunset Public Utility Board, a body corporate established pursuant to Section 33(2) of the Act by the Rural Municipality of Mervin No. 499.
- f) "Voter" means a water subscriber, who is eligible to vote at the Annual General Meetings, being a registered land owner with a valid water subscription agreement.
- g) "Water Subscriber" means person(s) or consumer(s) who receive the benefit of the public utility through an application and agreement with the Public Utility Board.

2. Business of the Public Utility:

a) Fiscal Year

- i. The fiscal year of the public utility shall be the period commencing on January 1 and ending on December 31 in the same year.
- ii. An annual meeting of the water subscribers of the public utility shall be held not more than 160 days following January 1 of each year or such later date that the Public Utility Board may determine by resolution.
- iii. Notice shall be given to all water subscribers at least 15 days prior to the meeting or published by way of electronic means, email or mail at least two weeks prior to the date set for the meeting. Failure by any water subscriber to receive notice of a meeting shall not invalidate that meeting.

b) Signing Officers

- i. Contracts, documents or other instruments requiring execution by the Public Utility Board shall be signed by the Administrator and Chairperson or, in the Chairperson's absence, the Vice-Chairperson of the Board.

c) Borrowing Powers

The Board may:

- i. Borrow money on the credit of the Public Utility.
- ii. Pledge debt obligations of the Public Utility.
- iii. Mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Public Utility owned or subsequently acquired, to secure any debt obligation of the Public Utility.



d) **Delegation of Powers**

The Public Utility Board shall have all the powers pursuant to Section 33 to Section 37 inclusive of *The Municipalities Act*. The budget, once approved by the board of directors, shall be presented at the AGM for acknowledgment only, as is to be done with the member municipality through their municipal delegate as well.

3. Auditors

The Public Utility Board shall appoint an auditor pursuant to Section 188(4) of the Act to provide for an annual audit of its books, records and accounts.

4. Board Membership

- a) The Board shall be comprised of five (5) members in total.
- b) A water subscriber is eligible to be nominated as a candidate and to hold office as a Board member.
- c) Crystal Bay Sunset Public Utility Board will have the following member municipality appointments:
 - i. RM Division 5 Councillor; and
 - ii. One Member at Large, who is not required to be a water subscriber.
- d) Board Director positions open to nomination shall be elected at the annual general meeting of water subscribers based on a majority vote. Each Board Director will have a 3-year term. One Position per year will be elected at each annual meeting.
- e) If a Board position becomes vacant between January and the upcoming AGM, that position will remain vacant until the next AGM.
- f) The Board shall annually appoint a Chairperson and Vice-Chairperson from among their numbers.
 - i. **Chairperson Duties**

The Chairperson shall preside at all meetings of the Board. The Chairperson shall attend all meetings unless represented by the Vice-Chairperson, conduct the meeting as per the agenda, and have signing authority on all bank accounts, financial statements and agreements as necessary.
 - ii. **Vice-Chairperson Duties**

The Vice-Chairperson, in the absence of the Chairperson, shall perform the duties of the Chairperson, and have signing authority on all bank accounts, financial statements and agreements as necessary.
 - iii. **Administrator Duties**

The Administrator shall attend and keep minutes of all meetings of the Public Utility Board, have charge of the seal and all corporate financial records, books, papers and documents of the Public Utility Board, conduct the correspondence, and 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 resolution of the Public Utility Board.

5. Board Meetings

- a) The First Organizational meeting of the Public Utility Board following the Annual General Meeting is to be held at a time, date and place determined by the Chairperson, within a reasonable time frame.
- b) Board meetings shall be on a quarterly basis.
- c) The Agenda shall be sent out one week in advance.

- d) All votes will be determined by majority. In the event of a tie vote, the motion is defeated.
- e) A Board meeting quorum shall be 50% + 1.

6. Board Minutes

Minutes of all meetings of the Public Utility Board and bylaws passed by the Public Utility Board shall be provided to the hamlet and the Rural Municipality of Mervin No. 499.

7. Board Duties and Powers

The Board may:

- a) Perform and exercise the duties and powers imposed or conferred upon it by resolution or by this bylaw, and may enact, amend, repeal, or replace bylaws, other than this corporate bylaw; and
- b) Make policies, not inconsistent with this corporate bylaw or the Act governing the management of the Public Utility Board and for the carrying out of the provisions of this bylaw.

8. Insurance and Bonding

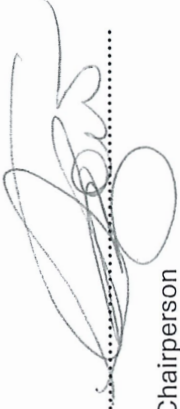
The Public Utility Board shall provide for security or fidelity bonding and insurance coverage, including Directors and Officers.

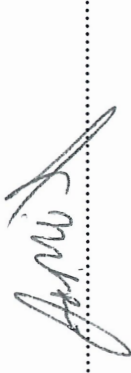
9. Disillusion

The Public Utility Board may be dissolved in accordance with Section 37 of the Act.

10. Effective Date of Bylaw

This corporate bylaw becomes effective upon third reading and adoption of Bylaw 2025-03 by the Rural Municipality of Mervin No. 499.


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Chairperson


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Administrator

CERTIFIED A TRUE COPY

DATED THIS 9 DAY OF May, 2025


ADMINISTRATOR