RURAL MUNICIPALITY OF MOOSE MOUNTAIN NO. 63

BYLAW NO. 2 - 1989

AGRICULTURE, DEVELOPMENT AND DIVERSIFICATION BOARD

January 16, 1989

1. PURPOSE:

The purpose of this bylaw is to enable the Council to enter an agreement with neighboring municipalities to work towards joint efforts in agriculture, development and diversification.

2. MUNICIPAL MEMBERSHIP ON DISTRICT BOARD:

The Rural Municipality of Moose Mountain No. 63, by this bylaw, voluntarily makes application for membership on, and thereby enters into an inter-municipal agreement with the following neighboring municipalities, for operation of Agriculture, Development and Diversification District Board Number 41; R.M.'s # 1, 2, 3, 31, 32, 33, 61, 63.

3. TERMS OF AGREEMENT

The terms of the agreement are defined in the corporate bylaws of the Agriculture, Development and Diversification District Board No. 41, which are attached as Exhibit A to this bylaw.

[redacted]
Reeve

S E A L

[redacted]
Administrator

Certified a true copy of
Bylaw No. 2-1989 adopted
by Resolution of Council
on the 8th day of May,
1989.

[redacted]
Reeve

S E A L

[redacted]
Administrator

APPROVED
AUG 31 1989
[redacted]
DEPUTY MINISTER OF
RURAL DEVELOPMENT

ATTACHED TO AND FORMING PART OF BYLAW NO. 2-1989

EXHIBIT A TO BYLAW NO. 2-1989 - Passed May 8th, 1989 pr

CORPORATE BYLAWS
AGRICULTURE, DEVELOPMENT AND DIVERSIFICATION BOARD

1. DEFINITIONS

In these and all other bylaws of the District Board, unless the context otherwise requires or specifies:

(i) "Act" means The Rural Municipality Act, as amended from time to time, and in the case of such amendment, any references in the bylaws of the District Board shall be read as referring to the amended provisions.

(ii) "District Board" means the board which adopts these bylaws and has been declared a body corporate pursuant to Section 242 of The Act.

(iii) "District" means a contiguous grouping of rural municipalities deemed to have commmon interest in agriculture, development and diversification and so designated as a district by Saskatchewan Rural Development.

(iv) The "board" and "representatives" mean the appointed representatives of the district board for the time being.

(v) "In writing" and "written" include words printed, painted, engraved, lithographed, photographed, represented or reproduced by any mode of representing or reproducing words in visible form.

(vi) "Member" and "Member Municipality" means a rural municipality or urban municipality approved and accepted for membership on the district board.

(vii) "Regulations" means the regulations, from time to time, passed by the Lieutenant Governor in Council pursuant to The Act.

(viii) The headings used in the bylaws are inserted for reference only and are not to be considered constricting the terms thereof or to be deemed in any way to clarify, modify or explain the effect on any such terms.

(ix) All terms contained in the bylaws and which are defined in The Act shall have the meanings given to such terms in the Act.

(x) Words importing the masculine gender shall include feminine, and words importing the singular shall include the plural and vice versa.

ATTACHED TO AND FORMING PART OF BYLAW NO. 2-1989

EXHIBIT "A" TO BYLAW NO. 2-1989 - Passed May 8th, 1989

2. BUSINESS OF THE DISTRICT BOARD

(1) Registered Office

The registered office shall be located in the town of Carnduff in the Province of Saskatchewan.

(2) Fiscal Year

(i) The fiscal year of the district board shall end on the 31st day of December in each year.

(ii) The annual meeting of the district board shall be held prior to February 28st of each year.

(3) Signing Officers

(i) Contract, documents or instruments in writing requiring execution by the district board shall be signed on behalf of the district board by two persons; one of which shall be the chairman plus the vice chairman.

(ii) The district board is authorized, from time to time, to appoint by resolution, any officer, director or person who together with the chairman or vice chairman shall sign contracts, documents or instruments in writing on behalf of the district board.

(4) Borrowing Powers

Any loans made to the district board must be approved by a 75% majority of all municipal members.

(5) Surplus

Any surplus arising from the yearly operation of the district board shall be transferred to reserve.

(6) Request For Funding From Member Municipalities

(i) Any request for funding from member municipalities in the form of grants, special levies or per capita assessments must be approved by a 75% majority of member municipalites.

(ii) Grants, requisitions and special levy requests from Municipal Governments can only be voted on by appointed members from municipalities.

3. MEMBERSHIP

(1) Eligibility for Membership

(i) The rural municipalities within the district shall be eligible for membership on the district board.

(ii) Urban municipalities may, with the approval of the majority of the district board, become eligible for membership.

(iii) Where an urban municipality is approved for membership pursuant to 3(1)ii, that urban municipality shall be deemed to have equal rights, powers, privileges and obligations as other members.

(2) Application for Membership

(i) Municipalities who are eligible and can use the services of the district board may apply to become members.

(ii) Application for membership shall constitute a written application accompanied by an approved bylaw under Section 242 of The Act.

(iii) Withdrawal of membership must be in writing 90 days prior to the end of the fiscal year, membership will cease at the end of that fiscal year.

4. GENERAL MEETINGS

(1) Notice of Meeting

The district board shall give at least 15 days notice of any annual or special meeting of its membership, by sending the notice by mail to the members at the address given in the register of members.

(2) Quorum

The quorum at any annual or special meeting of members shall be a majority of members.

(3) Annual General Meeting Agenda

The agenda for the annual general meeting shall include the following items:

(i) the meeting is to be called to order by the chairman;

(ii) the reading and disposal of the minutes for the preceding annual general meeting;

(iii) business arising out of the minutes;

(iv) reports of the chairman, directors and other officers;

(v) reports of auditors and the financial statement;

(vi) discussion, consideration and disposing of reports set out in items (iv) and (v);

(vii) resolutions, recommendations and bylaws (e.g., the proposed work program and budget);

(viii) reports of special committees, and/or delegates;

(ix) unfinished business;

(x) the appointment of auditors;

(xi) new business; and

(xii) adjournment.

5. AUDITORS

(i) The representatives shall, by ordinary resolution at the first annual general meeting of members, and at each succeeding annual general meeting, appoint an auditor to hold office until the close of the next annual general meeting, pursuant to Section 79 (5.1) of The Act.

(ii) Notwithstanding clause (i), where an auditor is not appointed at an annual or general meeting of members, the incumbent auditor shall continue in office, until a successor is chosen.

(iii) When an auditor's position becomes vacant, prior to the next annual meeting, the directors shall appoint an auditor to fill the unexpired term, pursuant to Section 79 (5.1) of The Act.

6. AUTHORIZED REPRESENTATIVE

(1) Appointment of Municipal Representative

(i) (a) Each member municipality's council shall appoint annually:

- one authorized representative to the district board, and;

- one alternate representative, who shall serve in the authorized representative's absence.

(b) These appointments shall be made annually prior to the district board's annual general meeting.

(ii) Where a vacancy occurs during the term of a municipal representative, the affected municipality shall elect another authorized representative, or alternate representative, as the case may be, to fill the remainder of the term.

(2) Representative at Large

(i) Municipal representatives shall appoint a number of representatives at large to equal to the total number of municipal representatives to the district board.

(ii) Priority shall be given to appointing representatives at large on the basis of residency in each of the member municipalities.

(iii) Where a representative at large is not available, pursuant to 2(ii), or, where in the opinion of the majority of municipal representatives it is in the best interest of the district board, a representative at large may be appointed from within the district.

(iv) Representatives at large shall service a two year term of appointment.

(v) No representative at large shall serve more than four consecutive terms of appointment.

(vi) Representative at large shall be deemed to have all the rights, powers and privileges consistent with municipal representatives other than those indicated in 2(i) and 2(iii) foregoing and in Section 2 (6).

7. BOARD MEETINGS

(1) Notice of Meeting

The district board may meet at any place and on any notice they consider appropriate.

(2) Quorum

The quorum necessary for the transaction of business by the district board at any district board meeting shall be a majority.

(3) Transaction of Business at Directors Meetings

(i) (a) At regularly and legally constituted meetings of the district board, or any committee of the district board, all questions may be decided upon by a simple majority vote, subject to any agreement with Saskatchewan Rural Development.

(b) In the case of any equality of votes, the motion shall be lost.

(ii) The chairman, or other presiding officer, may vote upon any resolution, but shall not have a second or casting vote in the event of a tie.

(iii) A resolution of the district board may be passed without a meeting where:

(a) all representatives consent in writing to the resolution; and

(b) the consent is filed with the minutes of the proceedings of the district board, except that no resolution of the district board, involving the expenditure of money, may be passed without a meeting of the district board being held.

8. BOARD DUTIES AND POWERS

(1) Representatives Limitations

No representative shall hold more than one office.

(2) Board Appointments

Within 14 days following the conclusion of the annual meeting in each year, the district board shall appoint:

(i) from among representatives, a chairman and vice-chairman; and

(ii) a secretary who may, but need not be, a representative.

(3) Chairman Duties

The chairman shall:

(i) preside as chairman at all general meetings of the district board and all meetings of the district board.

(ii) be an ex officio member of all appointed committees; and

(iii) perform such other duties and exercise such other powers as are incidental to such office or as may be required, from time to time, by the district board.

(4) Vice Chairman Duties

the vice-chairman, in the absence of the chairman, shall discharge the duties of the chairman.

(5) Secretary Duties

The secretary shall:

(i) attend all general meetings of the district board and all district board meetings and keep, or cause to be kept, correct minutes of same;

(ii) have charge of the seal, if any, of the district board;

(iii) conduct the correspondence of the district board and, subject to the order of the district board, have charge of all non-financial corporate records, books, papers and documents of the district board.

(iv) 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 district board.

(6) Officer Appointments

The board may appoint and delegate powers and duties to such officers and employees, in addition to the chairman, vice-chairman and secretary, as it deems necessary, to properly conduct the affairs of the district board.

(7) Officer Removal

The district board, in its discretion, may remove any officer or employee of the district board and elect or appoint another individual to fill the unexpired portion of that individual's term.

(8) Officer Term

Subject to clause (7), each representative appointed by the district board as an officer shall hold office until the conclusion of the next following annual meeting, or until resigning, whichever first occurs.

(9) Bonding

The district board may provide for security or fidelity bonding and insurance coverage, as deemed necessary.

(10) Employee Management

The district board has the power:

(i) to appoint, remove and define the duties and fix the remuneration of the employees, as they deem necessary, for carrying out the activities and services of the district board; or

(ii) May delegate the hiring, removal and supervision of the other employees to a supervisor.

9. ENACTMENT, AMENDMENT AND REPEAL OF BYLAWS

The members may, at any annual or special meeting called for the purpose, enact, amend, repeal or replace any bylaws with consent of the majority of members, subject to the approval of the Minister of Rural Development.

10. DISSOLUTION

(i) Resolution to Dissolve

Upon the dissolution of the district board, the distribution of the property shall be in accordance with the resolution to dissolve.

11. EFFECTIVE DATE

This bylaw is passed by the board of directors of the AGRICULTURE, DEVELOPMENT AND DIVERSIFICATION DISTRICT BOARD, DISTRICT NO. 41, on April 20, 1989.

[redacted]

Chairman (Interim)

(S E A L)

[redacted]

Secretary