

BYLAW NO. 68-01

A BYLAW FOR THE RURAL MUNICIPALITY OF GULL LAKE NO. 139 TO PROVIDE FOR ENTERING INTO AN AGREEMENT FOR THE CREATION OF A DISTRICT BOARD OF REVISION.

The Council of the Rural Municipality of Gull Lake No. 139 in the Province of Saskatchewan under the authority of section 307(1) of The Rural Municipality Act enacts as follows:

1. The Council for the Rural Municipality of Gull Lake No. 139 is hereby authorized to enter into an agreement with the Council for:
The rural Municipality of Carmichael No. 109
The Rural Municipality of Webb No. 138
The Rural Municipality of Riverside No. 168
The Rural Municipality of Pittville No. 169
The Rural Municipality of Miry Creek No. 229
for the purpose of establishing a District Board of Revision, the terms of which are attached hereto and marked "Exhibit A".
2. The Reeve and Administrator of the Municipality are hereby authorized to sign and execute an agreement, the terms of which are set out in "Exhibit A" herein before referred to.
3. This bylaw hereby repeals Bylaw No. 60-2000.
4. This bylaw becomes effective on the date of final passing thereof.

Adopted this 10th. day of May 2001.

Reeve

Seal

Administrator

Certified a true copy of the Bylaw No. 68-01
adopted by Council on the 10th. day of May 2001.

Ida-Mae Leek, Administrator

EXHIBIT "A"
THE MEMORANDUM OF AGREEMENT
For the Establishment of a District Board of Revision

1. **DATE OF AGREEMENT:**

This Memorandum of Agreement is made this 10th day of January, 2000 A.D.

2. **PARTIES TO AGREEMENT:**

This agreement is made by the following parties:

The Rural Municipality of Carmichael No. 109 in the
Province of Saskatchewan

- and -

The Rural Municipality of Webb No. 138 in the
Province of Saskatchewan

- and -

The Rural Municipality of Gull Lake No. 139 in the
Province of Saskatchewan

- and -

The Rural Municipality of Pitville No. 169 in the
Province of Saskatchewan

- and -

The Rural Municipality of Riverside No. 168 in the
Province of Saskatchewan

(Hereinafter referred to in the aggregate as the "municipalities")

3. **PREAMBLE:**

Whereas the municipalities hereto voluntarily and collectively intend to establish a DISTRICT BOARD OF REVISION (hereinafter referred to as "the Board"), to hear and decide appeals received, pursuant to section 303 of the Rural Municipality Act, 1989 from within the municipalities to this agreement.

4. **AUTHORITY:**

The District Board of Revision is being established under the provision of Section 307 of The Rural Municipality Act, 1989.

5. **COMPOSITION OF THE BOARD:**

(1) **Board**

(1.1) There shall be 5 members appointed to the District Board of Revision, one member to be appointed by each municipality subject to clause (1.2).

(1.2) Elected municipal council members and School Division Board members shall not sit on the District Board of Revision or act as secretary to the Board of Revision.

(1.3) The Municipalities shall pass complimentary resolutions approving the appointments to the Board.

(1.2.1) No municipality may decline to appoint a person nominated by any other municipality.

(2) **Secretary of the Board**

The Municipalities shall agree, by passing complimentary resolutions, to the appointment of a secretary to the Board.

1. **BOARD'S AND SECRETARY'S REMUNERATION AND EXPENSES**

(1) **Training**

The Municipalities shall pay the cost for their respective appointed board member attending authorised training sessions, and shall share equally, the cost of sending the secretary to the training sessions.

- (1.1) The secretary shall be paid for attending training sessions at the rate of \$100.00 per day or \$60.00 for half day (four hours or less).
- (1.2) Each appointee and the secretary are expected to attend subsequent update training sessions.
- (2) **Hearings**
The cost of the hearing or hearings shall be proportionately shared by each municipality.
 - (2.1) The costs borne by each municipality shall be an amount proportional to the time spent by the board in hearing the appeals of the respective municipality.
- (3) **Rate**
 - (3.1) Board Members "daily remuneration" of \$100.00 per day or \$60.00 per half day (four hours or less), and
 - (3.2) Secretary shall be paid for services at a rate of \$15.00 per hour;
 - (3.3) "meal allowance" of \$36.00 per day or \$20.00 per half day (four hours or less), and
 - (3.4) "travel allowance" of \$0.35 per kilometre for travel.

7. **POWERS, DUTIES AND RESPONSIBILITIES OF THE BOARD**

- (1) The Board of Revision shall conduct itself in a fair and impartial manner; and
 - (a) The members of the board shall designate one of their number as chairperson and one as vice chairperson;
 - (b) No person who has a pecuniary interest, within the meaning of Section 45 of the Rural Municipality Act 1989 and, in any land, improvement or business, the assessment or classification of which is the subject of an appeal to the Board or Revision, shall act as a member of the Board of Revision on that appeal;
 - (c) A majority of the members of the board constitute a quorum for the purposes of a sitting or hearing or conducting the business of the board;
 - (d) The board shall hear appeals, as far as possible, in the order in which the appeals stand in the list, but the Board of Revision may adjourn or expedite the hearing of any appeal where the Board or Revision considers it appropriate to do so;
 - (e) The Board shall act within Sections 307.1 thru to Section 313, inclusively, of The Rural Municipality Act, 1989.
- (2) The Board may contract their services out on a cost recovery basis to the villages within the member municipal boundaries as requested by the urban municipality.

8. **HEARINGS OF THE BOARD**

- (1) The Board shall hold their hearings of appeals in the most central location determined by the appeals received.
- (2) The Board shall conclude all hearings of appeals and render its decision by July 30th each year and no appeal may be heard after that date except as provided in Section 325 of The Rural Municipality Act, 1989.

1. **TERM AND TERMINATION OF AGREEMENT**

- (1) This agreement shall come into force and be effective upon the signing of the municipalities to this agreement and shall remain in force until such time as a municipality serves notice of change or withdrawal.
- (2) Any municipality may withdraw from this agreement by providing written notice prior to November 30 of the preceding year. Such notice of withdrawal shall be delivered to the Secretary of the Board.

2. **AGREEMENT EXECUTION**

The parties hereby agree to this Memorandum of Agreement:

- i) by having their authorized officials sign below, and
- ii) by affixing their official seals, and
- iii) by dating this agreement.

The Rural Municipality of Carmichael No. 109

Howard J. Schmitt
Reeve

[Signature]
Administrator

Seal

The Rural Municipality of Webb No. 138

[Signature]
Reeve

[Signature]
Administrator

Seal

The Rural Municipality of Gull Lake No. 139

[Signature]
Reeve

[Signature]
Administrator

Seal

The Rural Municipality of Riverside No. 168

[Signature]
Reeve

[Signature]
Administrator

Seal

The Rural Municipality of Pittville No. 169

[Signature]
Reeve

[Signature]
Administrator

Seal

*Certified a true copy
Deb Shaw*