

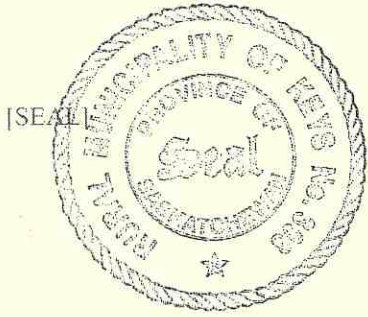
BYLAW NO. 03-2021
A BYLAW TO PROVIDE FOR
THE OPERATIONAL FRAMEWORK BETWEEN
THE RURAL MUNICIPALITY OF KEYS NO 303
AND
ORGANIZED HAMLET OF CRYSTAL LAKE

A Bylaw of the Rural Municipality of Keys No 303 in the Province of Saskatchewan to enter into an agreement with Organized Hamlet of Crystal Lake.

**A BYLAW TO PROVIDE THE FRAMEWORK FOR A OPERATIONAL FRAMEWORK
 BETWEEN THE RM OF KEYS AND ORGANIZED HAMLET OF CRYSTAL LAKE**

The Council of the Rural Municipality of Keys No 303 in the Province of Saskatchewan enacts as follows:

1. The Rural Municipality of Keys No 303 is hereby Authorized to enter into an agreement the Organized Hamlet of Crystal Lake respecting the policies and procedures in governing the Organized Hamlet of Crystal Lake with the Agreement being attached to and identified as Schedule "A".
2. Bylaw 04-2019 is hereby repealed.
3. Coming into force
 This bylaw shall come into force immediately.



[Handwritten Signature]

 Reeve

[Handwritten Signature]

 Administrator

Read a third time and adopted
 this 7 day of Oct, 2021
[Handwritten Signature]

 Administrator

PROVISION OF SERVICES AGREEMENT

between the Rural Municipality of Keys No 303 and the Organized Hamlet of Crystal Lake

The Council of the Rural Municipality of Keys and the Board of the Organized Hamlet of Crystal Lake agree it is expedient and mutually beneficial to enter into an agreement in accordance with the provisions of *The Municipalities Act (MA)* and *Municipalities Regulations (MR)*.

This document recognizes that since an Organized Hamlet (OH) is part of a Rural Municipality (RM) the term 'Rural' and 'Hamlet' will be used to differentiate between the two organizations.

This Provision of Services agreement will define the financial arrangement within the RM between Rural and Hamlet in part by identifying Hamlet only expenses, listing shared Rural/Hamlet expenses and specify the Hamlet payment of a portion of the total RM's administrative, council and overhead expenses as compensation for the services the Hamlet receives from the RM. This document will list the applicable RM accounts and specify the agreed to allocations from the OH account.

1. Organized Hamlet Revenues

➤ Taxes, Revenue Sharing and Grant-in-Lieu

- The Council of the Rural Municipality of Keys and the Board of the Organized Hamlet of Crystal Lake agree that the RM shall allocate to the OH account 100.0% of the taxes collected for municipal purposes, any specified OH Revenue Sharing Grant and any Grant in Lieu from within the Organized Hamlet and that the Administrator will deduct from the OH account a portion of administrative, council and other overhead expenses as established in this agreement.
- The expense sharing formulas as agreed to in this document will meet the guidelines established by clause 69(1)(b) of the MA (that between 40% and 75% of the total municipal taxes collected from the properties within the Organized Hamlet shall be allocated to the Hamlet Account).
- The Hamlet Board will have the authority to request a mill rate, including tax tools, for the Hamlet independent from Rural, and the Council will accept this recommendation, providing that the revenues exceed the expenses.
- Interest on taxes levied within OH shall be retained by the Hamlet.

➤ Grants

- Any grants dedicated specifically to the Hamlet shall be allocated to OH account;
- Any per capita grants received by the RM shall be allocated to the OH account if a suitable project is available and the Hamlet Board (HB) requests council approval.

➤ Fees for Services

- Any fees for services located within the Hamlet will be allocated to the OH account
 - Such as swimming lesson fees, seasonal waterline fees, etc.

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➤ Donations

- 100% of all donations allocated to a specific project within the Hamlet shall be allocated to those projects.
- Where applicable, a charitable receipt will be issued to individual donors.

2. Organized Hamlet Expenses

In order to ensure that moneys in the OH account are used only for the purposes authorized by subsection 69(2) of the MA, no payment shall be made out of the Organized Hamlet account, Organized Hamlet Reserve Fund or Organized Hamlet-Special Levy Account by the RM Council unless:

- (a) the expenditure has been requested and/or approved by the Hamlet Board,
- (b) the expenditure is contained in the approved OH budget
- (c) if the expenditure is not in the OH budget it must be requested by the HB and authorized by the RM Council prior to incurring it;
- (d) the expenditure is:
 - (i) for the payment of indemnities to members of the Hamlet Board;
 - (ii) for the provision of services under this Agreement; or
 - (iii) authorized under sections 73, 75 or 76 of the Act.

➤ Specific Organized Hamlet Expenses

The Hamlet Board is responsible for the following expenses which are specific to the Organized Hamlet and are directly billed or expensed to the OH account.

- all HB indemnities & benefits
- all OH employees' wages and benefits
- all OH shop expenses and tools
- all OH website expenses
- all transportation expenses dedicated directly to the benefit of OH including signs, equipment
- all beach work, lake level control costs within the OH
- all OH road work expenses, including dust control, snow removal and repairs
- all expenses related to OH fire brigade
- all OH Recreational Committee or other committee expenses
- all expenses related to the OH sewage agreements
- all expenses associated with the OH waterline
- all expenses related to environment protection (shoreline, water health) within the OH
- all insurance expenses related to OH property including truck, buildings, trailers
- all amortization of assets within the OH including buildings, roads, infrastructure
- legal expenses
 - if affecting only the Hamlet, then the legal fees shall be allocated to the OH account;

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➤ Expenses for Services Rendered by the RM

Some services may be supplied by the RM at the OH request and are directly billed to the OH.

- mowing
- road work such as grading, dust control or snow removal
- postage: for mass OH mail-outs, not including general mail

➤ Shared Expenses

A shared expense is one that is shared proportionally between Rural and the Hamlet according to taxable assessment, population or other specified formula.

The percentage allocation will be calculated by dividing the OH value (population or assessment) by the total RM value (population or assessment). For example, the assessment percentage = total assessment of the OH/total assessment of the entire RM X 100.

- Assessment Based Allocation
 - SAMA (Assessment) fees
 - SARM Basic Liability expenses
 - municipal election costs
 - RM Office expenses including upkeep, utilities, supplies including Munisoft
 - annual RM Audit
 - memberships which affect both Rural and Hamlet
 - donation requests (not per capita)
 - legal expenses
 - if affecting both the Rural and Hamlet, then legal fees shall be allocated to both rural and OH ratepayers based on assessment.
- Population Based Allocation
 - SARM, Excess Liability expenses
 - policing costs
 - library levy
 - recycle and waste management
 - donation requests (per capita) including STARs

○ Specified Allocation

In cases where a specified funding formula is used then the formula will be listed

- fire levy: per ward cost

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➤ Expenses for Administrative and Governance Services Rendered by the RM

It is agreed that the Organized Hamlet receives administrative and governance services from the Rural Municipality administrator and Rural Municipality council. It is further agreed that the HB is responsible for a portion of the Administrators annual compensation package as well as a percentage of Council indemnities. The OH agrees to the payment of the following on an annual basis:

- Administration (administrator compensation package): 40% of actual costs
- Council indemnities (Council meetings, conventions and applicable committee meetings): 25% of actual costs

3. Reserve Funds

The OH currently has three reserve funds, General Reserve, Water System Reserve and a Road Reserve Fund

- Outside a General Reserve Fund, the Hamlet Board may request further reserve fund accounts for specified programs or capital projects.
- Where possible, reserve fund accounts will be placed in a term deposit.

4. Budget

To ensure coordination between the OH and RM budgets in regards to shared expenses, administration costs and council charges the RM administrator and HB will jointly prepare the annual OH budget.

5. Exemptions

In cases where legal expenses affect only the Rural area, then these fees shall not be allocated to the OH account.

Capital costs initiated by the RM in excess of \$10,000 fall outside the scope of this agreement

6. Term of Agreement

This agreement is intended to be a long-term agreement and revision or cancellation of this agreement will require the signed consent of both the Rural Municipality Council and Hamlet Board.

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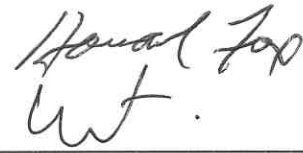
On Behalf of Council of the RM of Keys:


REEVE


Administrator


Division 6 Councillor

On Behalf of the OH of Crystal Lake:

Chair 

Member


Member

Dated this 7 day of Oct, 2021.