

BYLAW 7-2021

A BYLAW OF THE VILLAGE OF LOON LAKE TO CONSTITUTE AND REGULATE THE EVERGREEN TERRACE HOUSING AUTHORITY INC. BOARD

The Council of the Village of Loon Lake, in the Province of Saskatchewan, enacts as follows:

PART 1 – INTRODUCTION

Title

This bylaw shall be known and cited as the “EVERGREEN TERRACE BOARD BYLAW”

1. Purpose

The purpose of this bylaw is to constitute an “Evergreen Terrace Board”, set out its scope of responsibility and regulations pertaining to its operation.

PART 2 – DEFINITIONS

2. Whenever in this bylaw, the following words or terms are used, they shall, unless text otherwise provides, be held to have the following meanings:

- (a) Advisory Members – A non-voting board member appointed by the Council representing interest groups such as Evergreen Terrace residents.
- (b) Authority – shall mean the Evergreen Terrace Housing Authority Inc.
- (c) Board – shall mean the Evergreen Terrace Housing Authority Inc. board
- (d) Board Members – shall mean members appointed by the Council to the Evergreen Terrace Housing Authority Board Inc.
- (e) Chairperson – means a member of the board, elected to the office at a meeting of the Board, and who is to preside over meetings of the Board.
- (f) Council – shall mean the council of the Village of Loon Lake
- (g) Housing Complex – shall mean the multi-unit residential unit located at 703 Railway Ave, Loon Lake, SK known as the Evergreen Terrace Manor.
- (h) Manager – shall mean the manager of the Evergreen Terrace Housing Authority Inc.
- (i) Secretary – means a member of the board, elected to the office at a meeting of the Board, and shall be responsible for giving notice to members of each meeting and record and distribute the minutes of all regular and special meetings.
- (j) Treasurer - means a member of the board, elected to the office at a meeting of the Board, and shall be responsible for all financial activities of the board.
- (k) Vice-Chairperson - means a member of the board, elected to the office at a meeting of the Board, and who is to preside over meetings of the Board in the absence of the Chairperson

PART 3 - BOARD

- 3. A Board shall be established consisting of a minimum of 5 voting members.
- 4. The Board shall consist of at least 1 member of council.
- 5. The Board may have a maximum of 3 non-voting advisory members.
- 6. The Board member’s term shall be two years commencing January 1 and expiring December 31. On the first year of appointments, 3 members term will be for 2 years and 2 member’s term shall be for one year.
- 7. A list of names of suggested board members for expired positions shall be sent from the Board to the Council on or before, January 1 of the year.
- 8. The Council shall at its first regular meeting of the year review list of names of suggested board members that has been submitted from the Board.
- 9. Evergreen Terrace Housing Authority Board members shall be appointed by resolution of Council.
- 10. If a vacancy should occur during the term of any board member, Council shall, at the earliest opportunity, appoint a board member to fill the vacancy for the remainder of said term.
- 11. The Chairperson and Vice-Chairperson shall be elected annually at the first Board meeting.
- 12. In the case of a resignation of Chairperson or Vice-Chairperson, the board shall appoint new chairperson or vice-chairperson at the next regular meeting.
- 13. In event of a board member’s absence without prior notification to the Secretary, the board member’s term may be terminated by Council and a new board member appointed to fill the unexpired term.
- 14. If a board member is absent for 3 consecutive regular meetings, the seat will be considered vacant and the Council shall appoint a new board member.
- 15. Council retains the terminate any board appointment.

PART 4 – SCOPE

16. Accounting

- (a) The Authority shall keep distinct and regular accounts of its receipts, payments, assets and liabilities.
- (b) The Authority shall submit to Council a monthly financial statement detailing revenue and expenditures.
- (c) The expenses of the housing complex must be approved prior to payment by the board.



- (d) The Authority shall submit a budget on or before February 28 to the Council for approval by resolution prior to adoption.
 - (e) The auditors of the Authority shall annually audit the accounts identified in 13(a) using generally accepted and appropriate audit procedures. The audit shall be completed by March 31.
 - (f) The audited financial statements shall be presented at a board meeting for approval.
 - (g) Once approve, the audited financial statements shall be sent to the Council.
17. In the course of operating the housing complex the board will be responsible for planning, implementing and operating programs and activities related to the management but are not restricted to:
- (a) Establishing policies, regulations and rules relating to the management of housing complex.
 - (b) Entering into agreements to carry out the Authority's purposes;
 - (c) Hiring employees, including management employees, and establishing the terms of employment for those employees, including their lay-off or dismissal;
 - (d) Charging and collecting rents and fees from the residents and temporary users;
 - (e) Purchase materials and supplies for the operation of the housing complex subject to 17(f);
 - (f) Any purchases/expenses that exceed \$1,000 and is not part of the annual operating budget must have council approval prior to expenditure being authorized.
 - (g) Acquiring, using and disposing of any necessary or unnecessary property other than real estate property.
 - (h) Annually setting the remuneration and expense amounts for board officers, board members, and representatives to the Authority; and

PART 5 – MEETINGS

- 18. The Board shall meet monthly and at such other times at the call of the chairman or council.
- 19. A minimum of 3 Board members at a Board meeting shall constitute a quorum.
- 20. The Chairperson and Vice-Chairperson shall vote on all resolutions.
- 21. The chairperson may call a special meeting of the board and shall always do so upon the written request of two (2) board members.
- 22. Minutes shall be adopted at the next regular meeting following the date of the meeting minutes.
- 23. A copy of the minutes shall be sent to the council once they have been approved.

PART 6 – MISCONDUCT BY AN OFFICER OR BOARD MEMBER

- 24. A board officer or member shall:
 - (a) In a manner similar with the disclosure provisions of *The Municipalities Act* disclose that he or his agent, partner, spouse, parent or child has an interest in land and buildings that could be affected financially (hereinafter referred to as a pecuniary interest) from a board decision;
 - (b) Not participate in a discussion at a board meeting where he, his agent, partner, spouse, parent or child has a pecuniary interest in the Board's decision;
 - (c) Excuse himself from the board meeting so as not to be involved with or seen to be involved with making or influencing the board's decision where he, his agent, partner, spouse, parent or child has a pecuniary interest in the decision; and
 - (d) Exclude himself from the Board meeting until the Board has completed voting on the matter that may affect his or his agent's, partner's spouse's parent's or child's pecuniary interest.
- 25. A board member shall not misuse Authority funds or monies.
- 26. Where a Board officer or member has contravened Section 25 or 26
 - (a) The board may make a resolution to the Council requesting the Board member be replaced;
 - (b) The council may make a resolution to replace Board member.
 - (c) Where a resolution has been passed pursuant to section 26 (a) or (b) the officer or Board member shall be deemed to have resigned from the Board effective immediately.

PART 7 – GENERAL

- 27. This bylaw shall come into effect on January 1, 2022.



 Mayor



 Administrator



Introduced and read a first time this 6 day of October, 2021.
 Read a second time this 3 day of November, 2021
 Read a third time and adopted this 6 of January, 2022

