

Sec. 2. Section 1 is effective upon its approval by a majority of the members of the country board of Washington county and upon compliance with Minnesota Statutes, Section 645.021.

Approved April 26, 1963.

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CHAPTER 369—H. F. No. 1145

[Not Coded]

*An act authorizing the town of Breitung of St. Louis county to operate, maintain, and construct additions and improvements to water and sewer plants and systems acquired by gift; to accept the same and to issue bonds for the construction of additions and improvements of the same and authorizing the town to have certain village powers.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Town of Breitung, sewer and water plant and system as gift, acceptance and operation.** The town of Breitung of St. Louis county, Minnesota, which has heretofore acquired by gift a water and sewer plant and system serving the inhabitants of said town, shall have the authority to accept the same as a gift, operate and maintain the same as a town water and sewer plant and system, and to construct additions and improvements thereto.

Sec. 2. **Water and sewer commission.** The water and sewer system of said town shall be operated and maintained by a water and sewer commission consisting of three members who shall be appointed by the town board of supervisors of said town. The first commissioners shall be appointed as follows: One member for a one year term; one member for a two year term; and a third member for a three year term, and at the expiration of said first terms, members shall be appointed for three year terms thereafter. The appointment of said members shall be made by the chairman of the town board of supervisors, subject to approval by a two thirds vote of the board of supervisors.

Sec. 3. **Duties of commission.** The duties of said water and sewer commission shall be as follows:

(a) To operate, manage, maintain such water and sewer plant and system, and construct such additions and improvements as may be required thereto.

(b) To appoint a superintendent who shall supervise and

**Changes or additions indicated by italics, deletions by strikeout.**

administer the said water and sewer system under the direction of said commission and employ the necessary employees for the conduct and operation of said water and sewer system.

(c) To appoint a treasurer who shall be charged with the duties of collecting water and sewer bills, pay all bills at the order of the commission and deposit funds of said commission in a depository duly designated for such purpose.

(d) The said commission shall fix rates for water consumption as are reasonable and required to operate and maintain said system, and any additions or improvements thereto.

(e) The said commission shall pay all charges and debts against said commission and shall be the custodian of its own funds.

(f) Said commission shall make rules and regulations as may be necessary for the operation and maintenance of said water and sewer system.

(g) The commission shall be authorized to enter into contracts binding said commission in the operation of said system in amounts not exceeding \$500. Contracts involving expenditure of over \$500 shall be subject to approval by the town board of supervisors.

(h) The said commission may make such purchases and contracts for the operation and maintenance of said system subject to the laws of the state of Minnesota and provisions herein set forth.

(i) Salaries of employees shall be set by said commission.

(j) The said commission shall appoint from its members, a chairman, vice-chairman, clerk-treasurer. The chairman shall preside at all meetings and shall have such other duties as the commission shall designate. The clerk-treasurer shall keep a record of the proceedings of said commission and shall keep and maintain all of its records. The vice-chairman shall act in place of the chairman having all powers and duties of the chairman in the event of his disability or absence. The term of all officers shall be designated by said commission. All orders for payment of funds of said commission shall be signed by the chairman and clerk-treasurer. All legal documents, contracts and instruments of conveyance shall be signed by the chairman and clerk-treasurer.

**Sec. 4. Contracts with municipalities, corporations, school districts.** The said water and sewer commission shall be authorized to make and enter into contracts with any adjoining municipality or any private corporation or school district located near said town for

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the purpose of furnishing water and sewer service for the same. Any such contracts shall be subject to approval by the town board of supervisors.

**Sec. 5. Payment of cost of construction of additions and improvements and issuance of bonds.** For the purpose of paying the cost of construction of additions and improvements to said water and sewer plant and system, the town board of supervisors of the town of Breitung of St. Louis county, Minnesota, is hereby authorized to issue and sell its negotiable promissory bonds in an amount not to exceed \$30,000. Such bonds shall be issued and sold pursuant to the provisions of Minnesota Statutes, Chapter 475.

**Sec. 6. Sinking fund for redemption of bonds.** The said water and sewer commission shall establish and maintain a sinking fund for payment of redemption of bonds issued hereunder and shall pay into such sinking fund all moneys and revenues received by it over and above the amounts required for the operation, maintenance, repair, and improvement of the said water and sewer system and interest on its bonded and other indebtedness. Such sinking fund shall be delivered to and kept by the town treasurer, kept separate and apart from all other funds and shall be used by the town board for payment, purchase or redemption of its outstanding bonds issued hereunder as, when and in such manner as the town board may deem advantageous and for no other purpose.

**Sec. 7.** In addition to all other powers now or hereafter granted to the town of Breitung in St. Louis county, said town shall have and possess the same powers with respect to town roads, platted streets and alleys in the town dedicated to the public, sanitary sewer systems, sewage and rubbish disposal systems, and waterworks systems as are now possessed by villages under Minnesota Statutes 1961, Section 412.221, Subdivision 6; Sections 412.321 to 412.391; and Chapters 429, 443, and 475, and acts amendatory or supplementary thereto.

**Sec. 8. Approval.** This act shall become effective only after its approval by a majority of the town board of the town of Breitung and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved April 26, 1963.

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