

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2271

A Bylaw to establish a Commission to operate the Village of Salmo and Electoral Area G (Recreation No. 7) Recreational Program Local Service.

WHEREAS the Regional District of Central Kootenay by Bylaw No. 784, being the "Salmo and Electoral Area G (Rec. #7) Recreational Program Bylaw No. 784, 1990" as amended, has established a service to provide recreational programming within the Village of Salmo and Electoral Area G;

AND WHEREAS a regional district may, pursuant to Section 176(1)(g) of the *Local Government Act*, establish a commission to operate a regional district service;

AND WHEREAS a regional district may by bylaw, pursuant to Sections 176(1)(e) and Part 5, Division 6 of the *Local Government Act*, delegate certain administrative duties and authorities to a commission;

AND WHEREAS the Board of the Regional District of Central Kootenay deems it expedient to establish a commission to operate the Village of Salmo and Electoral Area G (Recreation No. 7) Recreational Program Local Service and to delegate certain administrative duties and authorities to the Commission;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, enacts as follows:

1. The Regional District hereby establishes a commission to be known as the Village of Salmo and Electoral Area G Recreation Commission No. 7 for the purpose of operating the Village of Salmo and Electoral Area G (Recreation No. 7) Recreational Program Local Service.

2. Membership

(1) Membership on the Village of Salmo and Electoral Area G Recreation Commission No. 7 shall be limited to a maximum of seven (7) members, determined as follows:

a) The Directors representing

(i) Electoral Area G; and

(ii) The Village of Salmo;

Who shall, without the need of Regional Board appointment, automatically be members.

- b) Two (2) Members at Large representing Electoral Area G to be appointed by the Regional District Board upon receipt of recommendation by the Director of Electoral G
- c) Two (2) Members at Large representing the Village of Salmo to be appointed by the Regional District Board upon receipt of recommendation by the Director representing the Village of Salmo
- d) One School District No. 8 Representative;
- (2) Appointments are for a two-year term and shall expire on December 31st of the year following the year in which the member is appointed.
- (3) All Commission members shall serve without remuneration.
- (4) Members at Large primary residence must be within the Recreation No. 7 Service Area. Should a Member at Large cease being a resident of the area he/she will be deemed to have resigned from the Commission.
- (5) A Member at Large may be re-appointed by the Board for an additional term(s), however, the Board will attempt to strike a balance between ensuring a rotating membership and ensuring continuity in the overall membership of the Commission.

3. Meetings – Quorum, Voting and Conduct

- (1) The commission shall, at its first meeting in each year, elect a Chair and a Secretary. The Chair shall preside at the meeting of the Commission when present and in his absence, an Acting Chair may be elected.
- (2) On or before October 31 of each and every year, the Commission shall, by resolution, schedule a minimum of four (4) regular meetings of the Commission for the following year.
- (3) The Regional District of Central Kootenay Procedure Bylaw No. 1823, as may be amended or replaced from time to time, applies to the Village of Salmo and Electoral Area G Recreation Commission No. 7.
- (4) The Chair or any two members may summon a special meeting of the Commission by giving at least two days notice to each member, stating the time, place and purpose for which the meeting is called.
- (5) The quorum of the Commission is a majority of the appointed members with each member having one (1) vote.
- (6) All questions and request for decisions before the Commission shall be decided by a majority vote.
- (7) All members of the Commission, including the presiding member, may vote on questions before it, and in all cases where the votes of the members present are equal for and against the question, the question shall be negated. Any member who abstains from voting shall be deemed to have voted in the affirmative.
- (8) No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission for matters within the scope of authority of the Commission or a resolution of the Regional District Board.

- (9) If a member fails to attend three (3) consecutive regular meetings of the Commission, the Board may rescind the appointment of the member, unless the member has been excused by resolution of the Commission.

4. Administration – Minutes and Budget

- (1) The minutes of the proceedings of all meetings of the Commission shall be legibly recorded in a minute book. The minutes shall be certified as correct and shall be signed by the Chair or other member presiding at such meeting. Upon completion and without delay a copy of said minutes shall be forwarded to the Regional District of Central Kootenay.
- (2) On or before October 31st of each and every year, the staff shall prepare a draft budget for the consideration of the Commission for the following budget year to include estimates for the administrative, operational and other expenses of the Village of Salmo and Electoral Area G (Recreation No. 7) Recreational Program Local Service, including contributions to persons or groups to provide recreational programming services on behalf of the Commission, together with estimates for expected revenues, and shall submit such budget for consideration by the Board of the RDCK.
- (3) All items of revenue and expenditure relating to the activities of the Commission shall be accounted for in the books of account of the Regional District of Central Kootenay in accordance with the provisions of the Local Government Act.
- (4) All revenues shall be receipted, with all receipts retained for inspection by Regional District of Central Kootenay staff or Auditor as required.

5. Responsibilities, Authorities and Duties

- (1) The Regional Board hereby delegates to the Commission the following authorities, responsibilities and duties:
 - (a) all of the administrative powers, except employment of staff, with respect to the operation of the Village of Salmo and Electoral Area G (Recreation No.7) Recreational Program Local Service, provided that the costs incurred are within the Financial Plan as approved by the Regional District of Central Kootenay, and without limiting the foregoing:
 - i. to carry out recreational programming activities, including, the provision of financial contributions to persons or groups to provide recreational programs on behalf of the Commission and, contracting with individuals and/or groups to conduct specific recreational programs for terms not to extend beyond the current budget year.
 - ii. to plan for and approve operational rules and procedures, including maintenance schedules, and maintenance/safety inspection for the

Village of Salmo and Electoral Area G (Recreation No. 7)
Recreational Program Local Service.

- iii. The Committee shall have the authority to enter into contracts/agreements that total less than \$10,000; and recommend to the Board any contracts/agreements in excess of \$10,000 on initiatives involving debt.

6. Rights of the Board

- (1) Notwithstanding the provisions of Section 5 of this Bylaw, the Regional Board retains the right of approval of the policies with respect to the approval, distribution, and accountability of financial contributions from the Commission to persons or groups providing recreational programming services on behalf of the Commission.
- (2) The Regional Board reserves unto itself all of its powers with regard to multi year contracts or agreements and or fiscal arrangements involving debts.
- (3) The powers delegated to the Commission are subject to the limitations on delegation authority set forth in Section 191 of the Local Government Act.

7. Repeal

Bylaw No. 98, being the **"Regional Recreation Commission Number Seven (7) Bylaw No. 98"**, and amendments hereto, are hereby repealed.

8. Citation

This bylaw may be cited as the **"Village of Salmo and Electoral Area G Recreation Commission No. 7 Bylaw No. 2271, 2012"**.

READ A FIRST TIME this 16th day of February, 2012.

READ A SECOND TIME this 16th day of February, 2012.

READ A THIRD TIME this 16th day of February, 2012.

ADOPTED by an affirmative vote of at least two-thirds of the votes cast this 16th day of February, 2012.

CHAIR

SECRETARY

