



Economic Development Commission for Kaslo and Area D
Bylaw No. 2482, 2016

CONSOLIDATED FOR CONVENIENCE ONLY

This Bylaw has no legal sanction

Bylaw No.	Amendments
Bylaw No. 2562	Amendments to: <ul style="list-style-type: none">• Section 4(4) is deleted and replaced with a) and b)

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2482

A bylaw to establish an Economic Development Commission for the Village of Kaslo and Electoral Area D of the Regional District of Central Kootenay.

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 authorizes to a commission;

AND WHEREAS the Regional Board adopted “Village of Kaslo and Electoral Area D Economic Development Conversion and Service Establishment Bylaw No. 2481, 2016” which established an economic development service on behalf of the Village of Kaslo and Electoral Area D;

AND WHEREAS the Council of the Village of Kaslo has, by resolution, consented to becoming a participant member in the economic development commission function;

AND WHEREAS the Director representing Electoral Area D has given written consent to becoming a participant member in the economic development commission function;

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

1. COMMISSION ESTABLISHMENT

The Village of Kaslo and Electoral Area D Economic Development Commission is hereby established.

2. DEFINITIONS

In this bylaw:

“**Board**” means the Board of the Regional District of Central Kootenay.

“**Commission**” means the Village of Kaslo and Electoral Area D Economic Development Commission established by this bylaw.

“Regional District” means the Regional District of Central Kootenay.

3. COMMISSION PURPOSE

The purpose of the Commission is to facilitate and promote economic and cultural development within the Village of Kaslo and Electoral Area D.

4. MEMBERSHIP

(1) **Composition**

The Commission shall consist of:

- a) i) the Director representing Electoral Area D
ii) the Mayor of Kaslo
who shall be appointed by a resolution of the Board of Directors.
- b) Three other persons from the Village of Kaslo to be appointed by a resolution of the Board of Directors.
- c) Four other persons from Electoral Area D to be appointed by a resolution of the Board of Directors.

(2) **Appointment**

- a) The Regional District of Central Kootenay shall advertise in publications which serve the service area for any vacant position on the Commission.
- b) As a condition of eligibility for appointment to the Commission, members shall reside within the boundaries of Kaslo or Electoral Area D.
- c) The Director representing the service area shall review all applications and recommend to the Board of Directors the names of candidates for appointment to the Commission.
- d) All nominations shall be submitted to the Board for consideration not later than November 30th of the year preceding the initial year of the term to filled and shall be ratified by resolution at the December Board meeting.
- e) All Commission members shall be appointed by resolution of the Board.
- f) Members may be reappointed at the discretion of the Board.
- g) The Board may, at any time, by an affirmative vote of not less than two-thirds (2/3) of all its members, at a duly constituted meeting, terminate the appointment of any or all members of the Commission.

(3) **Term**

- a) Members shall be appointed for two-year terms.
- b) Members are expected to commit to attending meetings as required. Alternate or substitute members will not be permitted.
- b) A member of the Commission who misses three consecutive meetings without the approval of the Chair or without reason satisfactory to the Commission shall be

deemed to have resigned, at which time the Commission shall notify the Board in writing in order that a new appointment can be made.

- c) An appointment to fill a vacancy on the Commission shall be for the remainder of the term of the member being replaced.
- d) In the event of the death, resignation or disqualification of a member of the Commission, the Board may appoint a successor for the remainder of that member's term.
- e) Should a Member at Large cease being a resident of the area he/she represents, he/she will be deemed to have resigned from the Commission.
- f) The Commission is, and has been, since establishment by Regional District bylaw, always continuing and existing notwithstanding a change in membership. As such, a member shall continue to serve until such time as a successor has been appointed regardless of expiration of the member's term of appointment.

(4) **Remuneration**

- a) Members of the Commission shall be entitled to remuneration for child care, not to exceed ten dollars per hour.
- b) Members of the Commission shall be entitled to reimbursement for mileage at a rate equivalent to the allowance rates recognized by the Canada Revenue Agency as of January 1st of each year for travel greater than 20km.

(5) **Structure**

- a) The Commission shall choose a Chair from within its membership.
- b) The Commission shall choose a Secretary from within its membership. The Secretary shall be responsible for recording all those present at the meetings, as well as all resolutions, in the form of minutes.

5. MEETINGS

- (1) Unless otherwise authorized by Section 90 of the *Community Charter*, all Commission meetings will be open to the public and held in a location accessible to the public.
- (2) All meetings of the Commission shall be held within the local service area.
- (3) The Commission shall hold a minimum of four (4) regularly scheduled meetings per year, with the first meeting normally held in January. The Commission shall approve the schedule of meetings at its January meeting.
- (5) The Chair or any two members may summon a special meeting of the Commission by giving at least two days' notice in writing to each member, stating the time, place and purpose for which the meeting is called.

- (6) Prior to each Commission meeting, the Secretary shall prepare an agenda which shall be circulated to the Commission members at least 24 hours in advance. The Commission may waive the requirement for advance notice of the agenda in emergency situations requiring a special meeting.
- (7) All meetings of the Commission shall be subject to Regional District bylaws and policies.
- (8) The rules of procedure for the Commission shall be consistent with the rules of procedure for the Regional District.
- (9) The Commission shall conduct their meetings in accordance with the current edition of *Robert's Rules of Order*.
- (10) All business of the Commission shall be conducted through the forum of a duly constituted meeting.
- (11) Commission members shall abide by the conflict of interest provisions of the *Local Government Act*. Members who have a direct or pecuniary interest in a matter under discussion shall not participate in the discussion of the matter or vote on a question on the matter. Where members believe they are in a conflict, they must declare the conflict and state the general nature of the conflict, and leave that part of the meeting where the matter is under discussion. The member's declaration shall be recorded in the minutes. The member shall not attempt before, during or after the meeting to influence the voting on any question in respect of the matter.
- (12) The Chair shall preside at meeting of the Commission when present.
- (13) In the absence of the Chair, the members present shall appoint a member to act as Chair for that meeting or until the elected Chair arrives.
- (14) The Chair or Acting Chair, at any meeting, shall be entitled to vote on all matters before the Commission.
- (15) No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission or a resolution of the Board.
- (16) A majority of the Commission shall constitute a quorum.
- (17) All questions before the Commission shall be decided by a majority vote.
- (18) Each member of the Commission shall have one vote.

- (19) A motion is defeated in the case of a tie.
- (20) Any member who abstains from voting shall be deemed to have voted in the affirmative.

6. AGENDAS AND MINUTES

- (1) Agendas shall be prepared by the Secretary of the Commission.
- (2) Minutes shall be kept of all meetings of the Commission. They must record all those present at the meetings, as well as all staff actions and resolutions. The minutes shall be certified as correct by the Secretary.
- (3) The minutes shall be forwarded to the Regional District Corporate Officer within fourteen (14) days of the meeting.

7. DUTIES AND RESPONSIBILITIES

- (1) The duties and responsibilities of the Commission shall include consideration of the following matters and the initiation, coordination and procurement of such programs and activities in relation to those matters as the Commission may deem necessary and the Board so approves:
 - a) preparation of economic data, analyses, policies and recommendations within the context of economic growth and cultural development objectives of the Village of Kaslo and Electoral Area D;
 - b) identification of viable economic and cultural development opportunities and existing constraints to development;
 - c) promotion and marketing of economic and cultural opportunities;
 - d) the maximum utilization of financial and employment programs designed to facilitate economic and cultural development; and
 - e) such other matters as the Commission considers relevant to the promotion and encouragement of economic and cultural development within the Village of Kaslo and Electoral Area D.
- (2) The Commission shall prepare and submit an annual budget to the Regional Board for consideration and approval at such time as the Board may direct.
- (3) The Commission must recommend any grant allocations to the Board for review and approval by resolution.

- (4) The Commission shall undertake other matters referred by the Board or delegation by resolution and shall provide reports as required by the Board.

8. RIGHTS OF THE BOARD

The powers delegated to the Commission shall not extend to or include any of the powers of the Board of Directors which are exercised by bylaw only.

- a) 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 economic development services on behalf of the Commission.
- b) The Regional Board reserves unto itself all of its powers with respect to entering into contracts and agreements.
- c) The powers delegated to the Commission are subject to the limitations on delegation authority set forth in Section 191 of the *Local Government Act*.

9. SEVERABILITY

If any section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

10. REPEAL

“Regional District of Central Kootenay Kaslo and ‘D’ Economic Development Commission Bylaw No. 592, 1986” is hereby REPEALED.

11. CITATION

This bylaw may be cited for all purposes as the “Kaslo and Electoral Area D Economic Development Commission Bylaw No. 2482, 2016.”

READ A FIRST, SECOND AND THIRD TIME this 17th day of November, 2016.

ADOPTED this 17th day of November, 2016.

Chair

Corporate Officer