

THE RURAL MUNICIPALITY OF REYNOLDS

By-Law No. 10/11

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF REYNOLDS FOR ESTABLISHING A PUBLIC RECREATION COMMISSION UNDER PROVISIONS OF THE MUNICIPAL ACT.

WHEREAS Section 250(2)(d) of The Municipal Act, L.M. 1996 provides in part as follows:

(a municipality may) enter into agreements...with an agency of the Government of Manitoba...or with another municipality...

AND WHEREAS Section 312 of The Municipal Act, L.M. 1996 provides in part as follows:

If approved by by-law, a municipality may provide, as a special service to all or part of a municipality...

(g) recreation services.

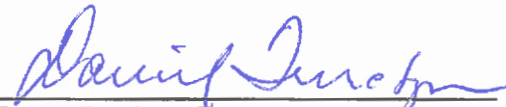
AND WHEREAS it is deemed expedient to appoint a public recreation commission for The Rural Municipality of Reynolds.

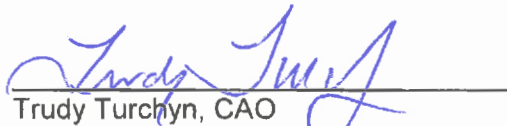
THEREFORE BE IT ENACTED by a by-law of the Rural Municipality of Reynolds:

1. That there is hereby established the Whitemouth River Recreation Commission (hereinafter referred to as the Commission").
2. That the Council appoint elected representatives and hereby authorize and empower them on behalf of the Rural Municipality of Reynolds to negotiate and execute an Agreement with the Rural Municipality of Whitemouth and the Sunrise School Division for the establishment and operation of a Recreation Commission. That within this Agreement, the representation of the Commission be defined. The Agreement shall be attached hereto as Schedule A and shall form part of this By-Law.
3. That the Council appoint an elected representative to sit on the Commission and delegate to that appointee the responsibility to negotiate with Commission members, the terms of reference for the operation of the Commission. These terms of reference shall be attached hereto as Schedule B and shall form part of this By-Law.

DONE, PASSED AND ENACTED at a meeting of the Council of the Rural Municipality of Reynolds held this 10th_ day of November, A.D. 2011.

THE RURAL MUNICIPALITY OF REYNOLDS


David Turchyn, Reeve


Trudy Turchyn, CAO

Read a first time this 13th day of October, 2011 Res. 357/11

Read a second time this 13th day of October, 2011 Res. 358/11

Read a third time this 10th day of November, 2011 Res. 407/11

SCHEDULE A

AGREEMENT AMONG PARTNERS

THIS AGREEMENT WAS MADE THIS 12 TH DAY OF MARCH, A.D., 2012

BETWEEN

RM OF WHITEMOUTH

PARTY OF THE FIRST PART

AND

RM OF REYNOLDS

PARTY OF THIS SECOND PART

AND

SUNRISE SCHOOL DIVISION

PARTY OF THE THIRD PART

WHEREAS the elected officers of the parties hereto have opted in favour of a By-Law for the establishment of the Whitemouth River Recreation Commission.

NOW THEREFORE THE PARTIES HERETO AGREE AS FOLLOWS:

1. The Commission shall prepare annual operating and capital budgets by March 1 in each and every year. The annual operating and capital budgets shall contain estimates of the revenue and expenditure requirements for the current and next fiscal years. The Commission shall forthwith present the budget to their Council for their respective approvals. The Commission shall present the approved budget to Manitoba Healthy Living, Youth and Seniors each and every year.
2. If the operating budget provides for a municipal requirement, the Rural Municipality of Whitemouth and the Rural Municipality of Reynolds shall pay the municipal requirement as identified in the Recreation Commission budget as approved by Council.
3. No expenditure shall be made which is not provided for in the annual budget of the Commission as approved by the Councils.
4. If the Commission realizes a surplus, the Commission shall carry over the surplus to the next fiscal year. Any surplus will be addressed in the annual planning and operating budget process.
5. That the Sunrise School Division shall contribute to the operation of the said Commission as outlined in the attached by-laws.
6. That the Commission shall allocate the monies from municipal levies and from government grants for the recreation district provided, however, any donation or gift accepted by the Commission shall be expended and allocated in accordance with the wishes of the donor thereof.
7. That:
 - a) The Commission shall be composed of one representative appointed by annual resolution from the Sunrise School Division and contributing partners and two representatives appointed by each participating municipality.
 - b) The chairman and secretary shall hold their offices for a one year period and may be reappointed.
8. That a quorum for the Commission's meetings shall be made up of 50% + 1 of the appointed representatives.
9. That members of the Commission shall hold office for a one year term from the first day of October in the year in which they were appointed. Every member of the Commission shall

continue in their office until their successor is appointed. Members may be reappointed by the council.

10. That the Commission shall elect from its membership a Chairperson and such other officers as it deems necessary. Officer elections would be held on a yearly basis with terms beginning October 1st.
11. That on the event that member vacates a position prior to the expiry date of their appointment; the member appointed to fill the vacancy shall hold office for the remainder of the unexpired term. Vacancy shall be filled by a member from the same jurisdiction in order to maintain that jurisdiction's representation.
12. That the Commission will hold a minimum of four (4) meetings per year and others will be held as necessary at the call of the Chairperson.
13. That the Commission members shall serve without remuneration, but each member shall be entitled to receive their actual disbursements for expenses incurred while on commission business as directed by the Commission.
14. That the Commission shall encourage and/or initiate a public recreation program which shall include physical and social recreation, cultural, artistic and group recreation, intellectual recreation, and audience entertainment, continually striving to meet the recreation needs of the District.
15. That the Commission will not purchase or own land and facilities. All land purchasing will be passed back to the respective municipalities.
16. The Commission shall ensure there is adequate insurance coverage to cover any accidents occurring within the boundaries of any recreation services deemed under the control of the Commission.
17. That the books of the Commission shall be audited annually in keeping with the Municipal Act, Section 604, and audited financial statements submitted to the municipal councils.
18. That no member of the Commission or member of the Council shall have any contract with the Commission greater than a total of \$500.00 per fiscal year.
19. That all orders and proceedings of the Commission shall be recorded and shall be signed by the Chairperson and Secretary.
20. That the Commission will engage the services and set the remuneration of a Recreation Director (hereinafter referred to as the "Director").
21. The Director shall be directly responsible to the Commission.
22. All other Recreation personnel shall be directly responsible to the Director or any other person appointed to act in the absence of the Director.
23. That the terms of this agreement shall be for a period of five year, at which time, if no notice has been given, the term shall be extended automatically for a further period of four years.
24. That any party to this agreement may terminate the agreement by giving notice in writing of the proposed termination at least twelve (12) months prior to December 31st.

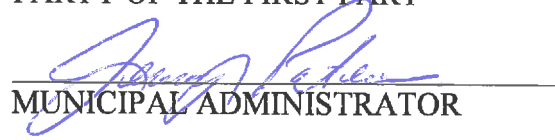
RM OF WHITEMOUTH

REEVE



PARTY OF THE FIRST PART

MUNICIPAL ADMINISTRATOR



RM OF REYNOLDS

REEVE



PARTY OF THE SECOND PART

MUNICIPAL ADMINISTRATOR



SUNRISE SCHOOL DIVISION

SCHOOL DIV. / DISTRICT CHAIR



PARTY OF THE THIRD PART

TREASURER



**SCHEDULE B
WHITEMOUTH RIVER RECREATION COMMISSION
TERMS OF REFERENCE**

PURPOSE OF THE COMMISSION

To use the delivery of public recreation services to further the growth and development of the communities and individuals.

GOALS:

Programming – To encourage the development of public recreation programs which will include physical recreation, social recreation, artistic and groups' recreation, intellectual recreation and audience entertainment based on identified need.

Leadership Development – To promote a high standard of recreation leadership in order to maintain a high quality of programs and services.

Volunteer Development – To encourage, promote and recognize volunteerism as an integral part of the community.

Resource and Communication – To facilitate the exchange of information between community groups and the government, funding bodies, regional and provincial organizations concerns with seniors, youth, the disabled, volunteer and professional development.

Public Education and Awareness – To promote the Benefits of Recreation and the important contribution that it makes to leading a healthy lifestyle.

Facility – To assist to maximize use of existing facilities, thru access to resources, promotion and coordination.

LEVEL OF AUTHORITY OF THE COMMISSION

The Commission is responsible for policy development of the organization including their goals and outcomes, provides direction for the Director, ensures that proper financial practices are upheld and ensures that programs and services are in accordance with the objectives of the Commission. The Commission representatives are responsible for communication with their respective Council in keeping them advised of the progress of the Commission. Once a year the Director's annual report is presented to the partners as identified in schedule A.

The Whitemouth River Recreation Commission would be the direct employer of the Director. The Whitemouth River Recreation Commission would provide direct supervision to the Director.

MANAGEMENT STRUCTURE – EXECUTIVE POSITION DESCRIPTION

The Commission shall consist of a chairperson, vice-chairperson, board members, secretary-treasurer.

- a) **Chairperson:** The Chair is responsible for conducting meetings; liaising with the Director on various issues; ensuring that all by-laws and schedules pertaining to recreation are adhered to at meetings and in the overall operations of the Commission. The Chairperson must maintain order during meeting procedures. The Chair has the authority to call special meetings. The Chair has the authority to cast the deciding vote in the event of a tie.
- b) **Vice Chairperson:** The Vice Chairperson shall be responsible for carrying out the duties of the Chairperson, as listed above, in his/her absence.

- c) Secretary-Treasurer: The Secretary-Treasurer is responsible for the maintenance of accurate records and correspondence. He/she is responsible for recording meeting minutes of each meeting and distributing minutes, meeting notes, agendas and correspondence to each board member. This position may be filled by the Director if it is the wish of the Commission.

COMMISSION MEMBERS JOB DESCRIPTION

- a) Be the champions of recreation services and the Director.
- b) There is a close cooperation between the partners, the commission and the Director.
- c) The commission has made a point of participating in the hiring a professional, reliable Director who provides written reports to the commission. The goal is to enhance and enrich the community by using all available resources to the fullest.
- d) To report to the partners, on a regular basis, the plans and activities of the Commission. The commission has a strong community profile, with a cohesive team of individuals whom the partners support.
- e) To be aware of and to have knowledge of the recreation activities in the community, whether they be operated by special interest groups, by agencies, organizations and institution, by clubs or by individuals.
- f) To act as a channel of communication by obtaining and passing on information related to recreational interests.
- g) The commission shall set goals and outcomes for the recreation commission and Director and modify on an annual basis.
- h) The commission is to provide a review and evaluation of Director's performance with reference to the goals and outcomes set for the year.
- i) Authorize and control expenditures within approved budget, where applicable.
- j) To set the policies for the operation of the recreation commission, its programs in the community.

FINANCIAL MANAGEMENT

The Commission's budget is approved by the members. The financial contribution from the municipalities, the recreation needs of the municipalities and the costs of personnel, services, supplies and equipment are all taken into consideration in the preparation of the budget.

The financial records are audited by the municipal auditor once a year and the audited financial statements are sent to the Commission upon completion.

MEETING MANAGEMENT

The Commission's meetings are held at a minimum of four (4) per year. The chairman may call for a special meeting to be held. Quorum must be met for a special meeting to take place. If 3 or more members request a special meeting the chair must call a meeting within a 7 day period.

The secretary-treasury is responsible for the taking of accurate minutes of each meeting, which are signed by the chairman and the secretary-treasurer and kept in an official minute book. The minutes are typed and circulated to the Commission members, Municipal Councils and School Divisions as soon after the meeting as possible.

OFFICE LOCATIONS

The Commission will maintain an office in both municipalities.

LINES OF COMMUNICATION

The Commission members are responsible for advising their Councils of the progress of the Commission, by keeping them informed as to the programs, grants, etc. that the Director is presently involved within their area. Copies of the Director's monthly report and the minutes of each meeting are sent to the partners.

The orientation package for Commission members of the Whitemouth Reynolds Recreation Commission will include:

1. By-Laws, regulations and policies of Recreation Commission
2. Statement of outcomes, missions statement and function of the Commission
3. Copy of Annual Reports
4. List of names, positions, addresses, and telephone numbers of Commission members and staff
5. Minutes of recent meetings
6. Financial structure of Commission, its source of income and budget
7. Organizational Chart
8. Provincial Policy Statement on Sport
9. Provincial Policy Statement on Recreation
10. Recreation Opportunities Program guidelines

STAFF MANAGEMENT

The Director shall be accountable to the Whitemouth River Recreation Commission on a daily basis.

