

**THE RURAL MUNICIPALITY OF WHITEMOUTH**

**BY-LAW NO. 640/15**

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WHITEMOUTH TO AUTHORIZE THE ESTABLISHMENT OF 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) (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 Whitemouth.

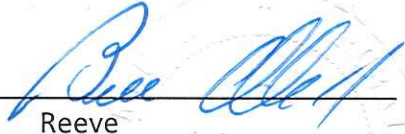
**AND THEREFORE BE IT ENACTED** by a by-law of the Rural Municipality of Whitemouth.

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 Whitemouth to negotiate and execute an Agreement with the Sunrise School Division and Interlake Eastern Regional Health Authority 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 AND PASSED** by a by-law of the council of the Rural Municipality of Whitemouth in the Province of Manitoba this 21<sup>st</sup> day of OCTOBER, A.D., 2015.

FOR: ALL

AGAINST: NONE

  
Reeve

  
Chief Administrative Officer

Read a first time this 7<sup>th</sup> day of October, A.D., 2015  
Read a second time this 21<sup>st</sup> day of October, A.D., 2015  
Read a third time this 21<sup>st</sup> day of October, A.D., 2015

**THE RURAL MUNICIPALITY OF WHITEMOUTH**

**SCHEDULE "A"**

**AGREEMENT AMONG PARTNERS**

THIS AGREEMENT WAS MADE THIS 30<sup>TH</sup> DAY OF NOVEMBER, A.D., 2015

**BETWEEN**

**RM OF WHITEMOUTH - PARTY OF THE FIRST PART**

**AND**

**SUNRISE SCHOOL DIVISION - PARTY OF THE SECOND PART**

**AND**

**INTERLAKE EASTERN REGIONAL HEALTH AUTHORITY - 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 Inc.

**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 Children & Youth Opportunities each and every year.
2. If the operating budget provides for a municipal requirement, the Rural Municipality of Whitemouth 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 Council.
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 the municipal levy 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, Interlake Eastern Regional Health Authority, and two Councillors or Designate and one Member at-large appointed by the 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 three of the appointed representatives.
9. That members of the Commission shall hold office for a one year term from the first day of November 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 November 1<sup>st</sup>.

11. That on the event that a member vacated 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 municipality.
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 council.
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 years, 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 31<sup>st</sup>.

RM OF WHITEMOUTH

REEVE

PARTY OF THE FIRST PART

MUNICIPAL ADMINISTRATOR

SUNRISE SCHOOL DIVISION

SCHOOL DIVISION/DISTRICT CHAIR

PARTY OF THE SECOND PART

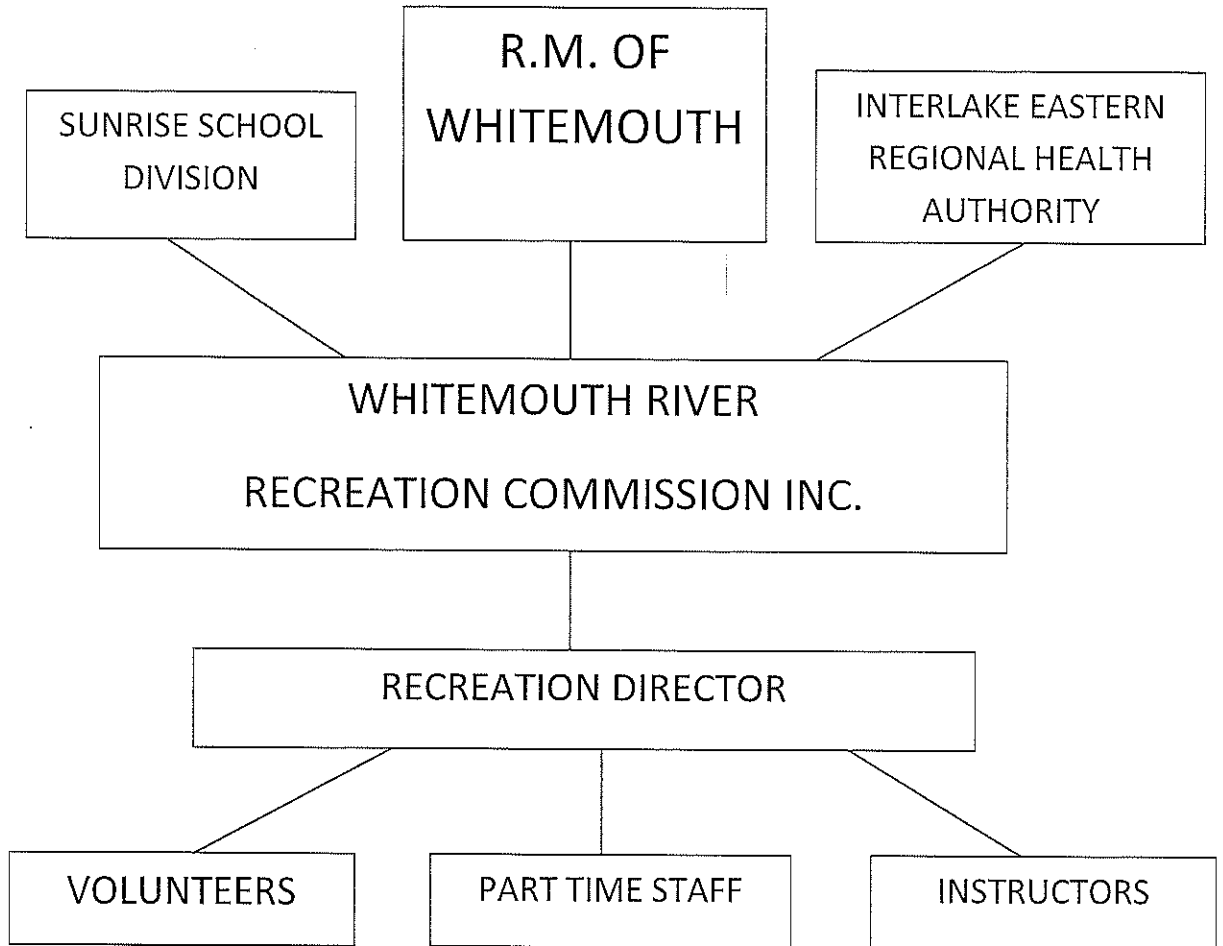
TREASURER

INTERLAKE EASTERN REGIONAL HEALTH AUTH.

PARTY OF THE THIRD PART

Wellness Facilitator  
IERHA.

ORGANIZATIONAL CHART



**SCHEDULE "B"**  
**WHITEMOUTH RIVER RECREATION COMMISSION INC.**  
**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 Inc. would be the direct employer of the Director.

The Whitemouth River Recreation Commission Inc. would provide direct supervision to the Director.

**MANAGEMENT STRUCTURE – EXECUTIVE POSITION DESCRIPTION**

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

a) Chairperson: The Chairperson 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 institutions, 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 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 municipality and the partners, the recreation needs of the municipality 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 chairperson 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-Treasurer is responsible for the taking of accurate minutes of each meeting, which are signed by the Chairperson and the Secretary-Treasurer and kept in an official minute book. The minutes are typed and circulated to the Commission members, Municipal Council, School Division, and Health Authority as soon after the meeting as possible.

#### **OFFICE LOCATION**

The Commission will maintain an office in the R.M. of Whitemouth Municipal Building.

#### **LINES OF COMMUNICATION**

The Commission members are responsible for advising their Council 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 River Recreation Commission Inc. will include:

1. By-Laws, regulations and policies of Recreation Commission
2. Statements of outcomes, mission 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 Inc. on a daily basis.