

Town of Kyle

Bylaw No. 02 - 2018

WHEREAS the Councils of The Rural Municipality of Lacadena No. 228 and Town of Kyle desire that the provision of recreational services for their residents be administered by one board;

AND WHEREAS the Councils of The Rural Municipality of Lacadena No. 228 and Town of Kyle desire, that this objective can best be accomplished under direction and coordination of a district recreation board;

THEREFORE the Councils of The Rural Municipality of Lacadena No. 228 and Town of Kyle hereby enact a bylaw of the Rural Municipality of Lacadena No. 228 and Town of Kyle establishing a district recreation board.

DEFINITION:

1. In this bylaw, including this section:
 - a. “board” means the Kyle & District Recreation Board appointed pursuant to this bylaw.
 - b. “councils” means the councils of The Rural Municipality of Lacadena No. 228 and Town of Kyle.
 - c. “municipalities” means The Rural Municipality of Lacadena No. 228 and Town of Kyle.
 - d. “recreation director” means the recreation director approved by the Councils.
 - e. “program” means those activities normally carried out in recreation, sport and culture.
 - f. “user groups” means community groups utilizing facilities operated by the Board.
 - g. “capital expense” means those expenses that are beyond the normal maintenance of the building and adds to the value of the building

FUNCTION:

2. The function of the board shall be:
 - a. To manage and operate the following facilities:
 - i. Kyle Rodeo Grounds
 - ii. Kyle Sports Grounds
 - iii. Kyle Community Sports Centre
 - iv. Other recreation or sports facilities that may be added from time to time.
 - b. Programs for the community.
 - c. To advise councils on projects to improve or extend any of the facilities listed above.
 - d. To ensure that all programs and facilities to be operated and maintained by the board shall be available for all residents of each municipality on an equal opportunity basis.

COMPOSITION OF THE BOARD

3. The board shall consist of 14 members, to be appointed by resolution of councils, as follows:
 - a. Two councillors from each of the participating municipalities.
 - b. Ten members appointed in direct proportion to each of the municipality’s percentage of funding.
4. The terms of all appointments by each municipality shall be on an annual basis and renewed at the beginning of each calendar year.
5. Subject to Section 4:
 - a. Notwithstanding, while it is desirable that no member serve for longer than six (6) consecutive years, the Board may consider the availability and circumstances of candidates when making its recommendations to the Councils.

6. The Board:
 - a. Shall appoint one Board member as:
 - i. Chairperson
 - ii. Vice Chairperson
 - iii. Secretary, when there is no Recreation Director
 - b. While the Recreation Director is employed, he/she shall serve as acting secretary and advisor to the board but with no voting power on the board.
 - c. May hire an independent contractor for the role of bookkeeper and pay according to budget allowances.
7. The seat of a board member who absents him/herself from three (3) consecutive regular meetings, without approval by motion at at least one of said meetings shall be declared vacant.
8. The seat of a member of the board shall become vacant upon the receipt of a written notice of resignation to the secretary of the board or, in the case of an advanced notice of resignation, the date so specified in the notice.
9. The secretary of the board shall bring to the attention of the appropriate council at its next regular meeting any vacancies as they arise.
10. The board shall endeavour to make recommendations to the councils to fill the vacancies as they arise.
11. The councils shall endeavour, by resolution, at the first meeting following receipt of the notice of vacancy, fill the vacancy.
12. A majority of the whole board is necessary to form a quorum and no business is to be transacted unless there is a quorum; however, vacant seats on the board are not to be counted for the purpose of determining whether a quorum of the board is present.
13. The board shall endeavour to meet at least once a month, at a time and place, as set by resolution of the board at the first meeting of the board each year.
14. The secretary of the board shall, at the request of the chairperson or one third of the members, call a special meeting at a date and time specified in the request.
15. All meetings of the board shall be open to the public.
16. All members of the board present shall vote on each question.
17. The chairperson shall preside at all meetings.
18. If the Chairperson should be unable to attend the meeting, the vice chairperson shall preside
19. All actions of the board shall be entered into a minute book, to be kept for that purpose by the secretary and signed by the presiding officer and the secretary.
20. Copies of the approved minutes of board meetings shall be presented to the councils at the first meetings following the board meeting.
21. The chairperson and/or secretary shall present councils with written reports on activities of the board monthly.
22. An annual meeting of the residents of the municipalities and other interested persons, shall be held in April of each year. The annual meeting is to be advertised in one (1) issue of a paper circulating within the municipalities and by means of posters displayed in a minimum of five (5) conspicuous locations within the municipalities, two (2) of which shall be the offices of the municipalities. Other notice may also be given by electronic means such as websites and social media posts. These shall not replace the above but be in addition to above.
23. At the annual meeting, the year end financial statement of the previous year will be presented along with an interim financial statement of the current year and a report of all the activities of the board of the current year.

24. After consultation with the councils, and in lieu of an annual meeting, the board may report the information listed in Section 23 by means of a mail dropout to all residents or by a newsletter placed in one (1) issue of a locally-circulated newspaper.

POWERS & DUTIES

25. The board shall adhere to any guidelines as may from time to time be laid down by the councils.
26. In its capacity as operator/manager of the Kyle Community Sports Centre, the board shall:
- a. Appoint a committee consisting of two (2) members of the board as well as one (1) member from each of the following user groups utilizing the facility: Kyle Curling Club, Kyle Minor Hockey, Kyle Elks Hockey Club and Kyle Community Club.
 - b. At its discretion, appoint up to two (2) additional members to the committee from the residents of the municipalities. These shall be annual appointments.
27. The Sports Centre Committee shall designate one of the persons appointed in Section 26 (a) and (b) to be chairperson of the committee.
28. The signing officers for the Sports Centre account shall be any two of the following:
- a. Sports Centre committee chairperson
 - b. Sports Centre committee vice chairperson
 - c. Secretary
 - d. Bookkeeper
29. The Sports Centre committee is a committee of the board and is directly responsible to the board for the operation and maintenance of the sports centre within the written guidelines established for the board.
30. The financial year of the board shall be the calendar year.
31. The board shall assess the recreational needs of the municipalities for capital facilities and extensions and renovations thereto for the current year and for a five year projection and shall provide councils with a copy of these assessments annually at the joint meeting of Councils in of the prior year. In the event of a major capital expenditure or renovation, councils must be notified prior to commencement of any projects.
32. Fundraising specified for capital expenditures shall be deposited in the Recreation Facilities fund. Dispensation of these funds are at the discretion of the Recreation Facilities Fund Board. Once a capital project has been approved, certain monies may be designated specifically for that project. These monies cannot be then used for other capital projects. Any excess funding from a specific capital project may be, at the Recreation Facilities Fund Board's discretion, be placed in general revenue of this account and be available for new applications. Community groups within the community that are outside of the Board's prevue may apply to the Recreation Facilities Fund Board for capital projects benefitting infrastructure.
33. The board shall, each year for the joint meeting of the municipalities, prepare the annual budgets for the upcoming calendar year.
34. The board shall, within it budgetary allotment, manage and operate the following facilities and initiate various programs within.
- a. Kyle Rodeo Grounds
 - b. Kyle Sports Grounds
 - c. Kyle Community Sports Centre
 - d. Other recreation or sports facilities that may be added from time to time
 - e. Other programs of the board
35. The board may advise the councils in all matter placed before them dealing with recreation, sport and culture.
36. All volunteers working for the board shall be considered agents of the municipalities and as such are subject to the Code of Conduct Bylaw as set out by the founding municipalities.
37. All employees/contractors of the board shall be considered employees of the municipalities.

- 38. The bookkeeper of the board shall deposit all funds to the credit of the board in a chartered bank or credit union and these funds shall be withdrawn only by cheque signed by the any two being the secretary, the bookkeeper, the chairperson or the vice chairperson
- 39. The bookkeeper of the board shall, at year end, prepare the year end financial statements. An official audit may be required upon the request of the councils of the Town of Kyle or the RM of Lacadena
- 40. If an audit is requested by the Town of Kyle or the RM of Lacadena, the records and financial statement of the board shall be audited by the auditing firm of the municipality that is contributing the larger share of the boards operating costs unless it is mutually agreed by the councils to use the firm engaged by the other municipality.
- 41. The councils shall carry and maintain adequate public liability insurance, special events liability insurance and errors and omissions insurance coverage for its board, it's appointed members, the appointed members of all committees and volunteer workers serving under direction of the board.
- 42. The board shall endeavour to employ the services of a recreation director and shall also have the authority to engage any employee(s) that it feels are necessary to the operation and maintenance of the facilities for which they are responsible. The board shall have the authority to hire, suspend or dismiss any employee under their supervision and shall set the salary and conditions of employment under which the employees will operate. The salary of these employees shall be kept within the budget allocations approved by the municipalities.
- 43. The board shall encourage and cooperate with organizations in the promotion of programs and may sponsor and organize any fundraising activities which the board feels is desirable.

FINANCIAL OBLIGATIONS OF MUNICIPALITIES

- 44. The total amount to be funded by municipal contributions shall be the grant amount specified by the board in their annual operating budget, as approved by both councils at their annual joint meeting prior to that fiscal year to which the board's budget applies.
- 45. The amount to be funded by each municipality shall be fifty percent (50%) of the amount determined pursuant to Section 44.
- 46. The parties to this agreement, agree that the amounts payable to the Board shall be paid as follows:
 - a. The Rural Municipality of Lacadena No. 228 contributions shall be paid to the Board on or before the 31st day of January in each year.
 - b. The Town of Kyle shall continue to pay the salary and benefits of the recreation director on behalf of the Board and any monies expended by the town in this regard which exceed its due contributions as determined by Section 46 shall be refunded to the town by the Board on or before January 31 in the year following the expenditure of such funds.
- 47. It is understood and agreed that this agreement shall be continuous, but the agreement may be terminated by either party giving six (6) months' notice in writing prior to the start of the fiscal year in which the termination is to take effect.
- 48. This bylaw shall come into effect upon final passing by the municipalities.
- 49. Bylaw No 03-2017 is hereby repealed.

Mayor – Doug Barker

Administrator – Karla Marshall

SEAL

<p>Read a third time and adopted this ____ day of _____, 20__</p> <p>_____</p> <p>Administrator – Karla Marshall</p>
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