

RURAL MUNICIPALITY OF BROCK NO. 64

BYLAW NO. 2023-01

A BYLAW TO PROVIDE FOR THE MUNICIPALITY TO ENTER INTO AN AGREEMENT WITH THE TOWN OF ARCOLA TO ESTABLISH THE ARCOLA AND DISTRICT RECREATION COMMITTEE

The Rural Municipality of Brock No. 64, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw shall be referred to as the "Recreation Bylaw."
2. In this Bylaw:
 - a. "Administrator" shall mean the Administrator of the Municipality;
 - b. "Council" shall mean the Council of the Municipality;
 - c. "Reeve" shall mean the Reeve of the Municipality;
 - d. "Municipality" shall mean the Rural Municipality of Brock No. 64.
3. The Rural Municipality of Brock No. 64 is hereby authorized to enter into an agreement with the Town of Arcola for the purposes as stated within the Agreement.
4. The Agreement is attached hereto and forms a part of this Bylaw, and is identified as "Exhibit A."
5. The Reeve and the Administrator are hereby authorized to sign and seal the Agreement described as Exhibit A.
6. Bylaw No. 2008-105 and Bylaw No. 2022-06 are now hereby repealed.



SEAL

Reeve, Larry Gordon

Administrator, Shawna-Lee Bertram

1st Reading: May 10, 2023

2nd Reading: May 10, 2023

Read a 3rd (third) time and adopted
This 10th day of May, 2023.

Certified a true copy of
the original Bylaw No. 2023-01
passed by resolution of
Council at their regular
meeting held May 10, 2023.



Administrator

EXHIBIT A – Agreement pertaining to Bylaw No. 2023-01

RECREATION COMMITTEE AGREEMENT

This agreement made in duplicate this 10th day of May, 2023,
Between:

The Town of Arcola
In the Province of Saskatchewan
(Hereinafter referred to as the Town)

and

The Rural Municipality of Brock No. 64
In the Province of Saskatchewan
(Hereinafter referred to as the R.M.)

WHEREAS the R.M. and the Town are desirous of entering into an agreement to form a Recreation Committee for the oversight and operation of the Recreation Facilities located in Arcola, Sk.;

NOW THEREFORE, this agreement witnesses in consideration of the Mutual covenants on behalf of the parties hereto as follows:

PURPOSE

The Purpose of this Agreement is to establish a Committee for the oversight and operation of the Recreation Facilities located in Arcola, Sk. The powers and duties of the Committee shall be:

- To engage in meaningful, accessible, recreation experiences that promote individual wellbeing, community wellbeing, and the wellbeing of places and spaces;
- To promote, enhance and encourage sport, culture and recreation;
- To investigate, research and recommend recreation programs and services within the Town of Arcola, the Rural Municipality of Brock No. 64, and the surrounding areas.

DEFINITIONS

1.0 In this Agreement:

- 1.1 Committee – means the Arcola & District Recreation Committee
- 1.2 Town – means the Town of Arcola
- 1.3 RM – means the Rural Municipality of Brock No. 64
- 1.4 Recreation Director – means the individual who is under the employment of the Town to act on the Committee’s behalf and provide the Committee with advisory and secretarial services. This shall be a non-voting position.
- 1.5 Program – means those programs normally carried on in sport, culture and recreation.
- 1.6 Secretary – means the secretary to the Committee, the function which shall be performed by the Recreation Director.
- 1.7 Facilities – means recreation facilities as designated by the Councils of the Town and the RM.
- 1.8 Resolution – means the Committee has the authority to proceed with the action item without approval of both the RM and Town Councils. The Councils give the Committee limited authority to pass resolutions as indicated in Section 5.3, Section 8.1 and Section 11.2.
- 1.9 Recommendation – means that the Committee does not have the authority to pass a resolution for the action item. The recommendation must be taken to both Councils for approval prior to action being taken.

COMMITTEE PURPOSE

2.0 In this Agreement:

- 2.1 The Committee provides an avenue for citizens and community groups to discuss, consult, and put forth their ideas and concerns with respect to sport, culture and recreation.

- 2.2 The Committee shall demonstrate and encourage cooperation with organizations and community groups in the promotion and partnership of program delivery.
- 2.3 The Committee shall initiate recreation and cultural programs. The Committee shall evaluate the effectiveness of the programs insofar as its effectiveness within the community.
- 2.4 The Committee shall identify areas of improvements, expansion and capital projects for the physical facilities for ratification from the Town and RM.
- 2.5 The Committee shall encourage volunteerism in recreation, culture and sport programs; and offer the opportunity for Committee members to be involved in exciting community programs.

FUNCTION

- 3.0 The function of the Recreation Committee shall be:
 - 3.1 To provide oversight of the following facilities:
 - Prairie Place Complex including the skating rink, curling rinks, and Community Hall
 - Wildlife Hall
 - Optimist Legion Hall
 - MacMurray Theatre
 - Baseball Diamonds
 - Ag Society
 - Green spaces and Parks
 - Disc Golf
 - RV Park
 - Other facilities as jointly agreed upon by the Town and RM.
 - 3.2 To act in a reactive manner when dealing with recreation service matters.
 - 3.3 To act in a proactive manner when engaging citizens of the community in an effort to bring the opinions and concerns of the community forward regarding recreation services.
 - 3.4 To investigate policies that further the creation, awareness and appreciation of the value and benefits of Recreation, as a primary service in the community.

FINANCIAL FUNCTION

- 4.0 The financial function of the Recreation Committee shall be:
 - 4.1 To coincide with the fiscal year and budget process of the Administrative Municipality.
 - 4.2 The Recreation Director shall review all recreation expenditures incurred in the management and operation of the facilities and programs prior to submitting to the Town of Arcola for final payment of all expenditures.
 - 4.3 The Committee shall prepare an annual Budget to present to both the Town and the R.M. for final approval. Once the budget has been approved by both the Town and the R.M., the Committee has the authority to approve and carry out projects and initiatives, by resolution, within the parameters of the approved budget.
 - 4.4 In special circumstances, either Council may not approve an expense, and may require the Committee to work within their Budget as funds may be limited.

COMMITTEE COMPOSITION

- 5.0 The Committee shall consist of six (6) members to be appointed by resolution of Council as follows:
 - 5.1 3 RM Councillors
 - 5.2 3 Town Councillors
 - 5.3 3 members at large (recommendations from both Councils) – optional at this time – can be used in the future.

TERM OF OFFICE

- 6.0 The term of office shall be 2 years and reappointment potential shall be determined by the Municipalities.

VACANCY

- 7.0 The rules surrounding vacancy on the Committee shall be:
 - 7.1 The seat of a member of the Committee who absents himself/herself from three consecutive meetings, without that absence being authorized by resolution of the Committee, shall be declared vacant.

- 7.2 The seat of any member shall become vacant when resignation, in writing from the member, is received by the Recreation Director.
- 7.3 Such vacancies shall be reported by the Recreation Director to the body or bodies that member represents.
- 7.4 The appointing body shall make every attempt to fill vacancies in due course.
- 7.5 Upon the expiration of any member's appointment or any member's resignation, subsequent appointments shall be made by the bodies which they represent.

SUBCOMMITTEES

- 8.0 At the Committee's discretion:
 - 8.1 The Committee may create subcommittees to assist with its activities. Subcommittees are directly accountable to the Committee. Subcommittees can also recruit volunteers to assist in their responsibilities.

MEETINGS AND OFFICERS

- 9.0 The Committee:
 - 9.1 Shall elect a Chairperson and Vice-Chairperson at the first meeting following January 1st.
 - 9.2 At its first meeting, the Committee will schedule its regular meetings for the calendar year by resolution, with regular meetings planned for a minimum of once per quarter (March, June, September, December), on the 1st Tuesday of that month.
 - 9.3 Special meetings to discuss urgent matters may be called by the Chairperson or from the majority of the members. The request shall be conveyed to the Chairperson or the Recreation Director.
 - 9.4 The Recreation Director will provide twenty-four hours' notice of any changes to the date, time or location, or of cancellations of a regularly scheduled meeting to all members.
 - 9.5 Minutes will be kept by Recreation Director reflecting the business carried on at each meeting, in the prescribed format (see policy). The minutes from the previous meeting and any special meetings will be presented to the Committee for approval and once approved, placed in the Minute Book. The Minute Book shall be kept in perpetuity.
 - 9.6 Minutes of meetings shall be submitted to the Town and RM Councils through their Administrative lead prior to the next regular meeting of Council.
 - 9.7 Half (½) of the members plus 1 of the current Committee members shall constitute quorum.
 - 9.8 The Recreation Director shall attend all Committee Meetings.
 - 9.9 The minutes of the meeting shall be distributed to each Committee member at least twenty-four hours before the next Committee meeting. Electronic means is recommended.

POWERS AND DUTIES

- 10.0 The Powers and Duties of the Committee, ongoing, are:
 - 10.1 The Committee may initiate and shall provide direction for sport, culture and recreation programs. Ideas may come from but not be limited to community members, Councils, or the Committee members.
 - 10.2 The Committee is given the authority, by resolution, to approve meeting agendas and to approve and sign Committee meeting minutes.
 - 10.3 No action or decision of the Committee shall be binding on the Town or RM unless:
 - Power to take such action is expressly conferred on the Committee by legislation, Agreement, or policy of Councils;
 - Both Councils have considered the recommendation of the Committee and specifically approved the action by resolution.
 - 10.4 The Committee shall review, receive and make recommendations on items contained in the Recreation Director's report.
 - 10.5 The Recreation Director shall communicate to both Councils on all items of interest and concern relating to recreation (sports and culture), typically through the Recreation Director's report.

PLANNING

- 11.0 The Committee will do:
 - 11.1 Annually, the Committee shall assess the needs of the Community as it pertains to recreation, sports, and culture.

- 11.2 By September 30 of each year, the Committee shall establish annual goals and objectives for the upcoming year based upon that assessment.
- 11.3 In addition, the Committee shall develop a five-year budget projection giving consideration to capital assets and major repairs that will potentially be required. This should include regional and community population shifts and changes that may affect the sports, culture, and recreation needs of the community.

ACCOUNTABILITY

- 12.0 The Committee is directly accountable to:
 - 12.1 The Councils of the RM and Town.
 - 12.2 When considering expenditures, the Committee shall not exceed its approved budget.
 - 12.3 The Recreation Director is the primary liaison between the Recreation Committee and Councils. The Recreation Director shall work within the approved budgetary allotment, shall manage the recreation programs, shall work with the Department staff (and when applicable, the Public Works Director), in the fulfillment of the programs.
 - 12.4 The Public Works Director, shall, in consultation with the Recreation Director, manage the repair and maintenance of the facilities within the approved budgetary allotment.

FINANCIAL

- 13.0 The Committee:
 - 13.1 Where the Committee is able to operate a lower deficit than budgeted, remaining funds may be transferred to a recreation reserve for future use.
 - 13.2 The Rural Municipality of Brock No. 64 will assume 50% of a deficit.
 - 13.3 The Town of Arcola will assume 50% of a deficit.
 - 13.4 Any fundraising done for a project will be capped when the goal is reached and any further funds raised will be applied to the next long-term project on the 5 year plan.

PROCESS FOR LARGE NON-EMERGENT CAPITAL PROJECTS

- 14.0 What will happen if the Recreation Committee has a large un-budgeted capital project:
 - 14.1 Targeted Reserve – purpose – planned but unfulfilled purchases will be specified and transferred then brought in as a transfer FROM reserves on the year that it does happen.
 - 14.2 RM and Town share would both be transferred and brought in with no further expectations (other than pricing adjustments which would then be budgeted in the new year towards that purchase).
 - 14.3 Untargeted Reserves – should not be spent without approval from both Councils.
 - 14.4 The Recreation Committee is encouraged to look at long term financial requirements and to budget annually for a planned transfer to reserve for the purpose of equalizing the requirements of the operating budget.

RECREATION DIRECTOR

- 15.0 The Recreation Director:
 - 15.1 Shall work closely with the recreation committee and appropriate staff within the Town's current human resources flow chart.
 - 15.2 Using available resources, deal with any action of an urgent or hazardous nature in the programs or facilities.
 - 15.3 Shall for each meeting, prepare a general report on the activities of the department which may include information items and recommendations such as important matters dealing with sport, culture, and recreations.
 - 15.4 In consultation with the Public Works foreman, bring forward suggestions for improvements or expansion to recreation facilities indicating the level of urgency and supporting documentation.
 - 15.5 Proposed capital projects which would add, improve or extend the life of any recreation facility.
 - 15.6 Advising the committee of any action taken to remedy any urgent or hazardous situations in the programs or facilities.
 - 15.7 Reports on staffing levels and items that might be of concern to the committee.
 - 15.8 The Recreation Director will be responsible for the implementation of recreation, sport and culture goals and priorities, communication with the Committee, tracking meeting attendance, preparing agendas and minutes, and reporting the Committee's recommendations to the CAO and Councils. A full job description will be provided by the Town to the Recreation Director.

ADMINISTRATIVE LEAD

- 16.0 The Town:
 - 16.1 Shall provide accounting services to the Committee and provide administrative oversight of the Recreation Committee.
 - 16.2 The day-to-day operations shall be operated through the Town's current Human Resources flow chart by the Department title "Recreation Department."

IN EFFECT

17.0 This agreement shall be in effect as of January 1, 2023.

DISSOLUTION

- 18.0 Should the Committee cease to operate:
 - 18.1 This can only be done by written notification to the RM or the Town, and will be effective 30 days after receipt of the paperwork.
 - 18.2 The debts and liabilities are paid, and
 - 18.3 The remaining lottery related funds will be donated to eligible charitable organizations.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate seals attested to by the hand of their duly authorized officers:



Reeve, R.M. of Brock No. 64

Administrator, R.M. of Brock No. 64



Mayor, Town of Arcola

Administrator, Town of Arcola



Certified a True Copy of the Original Bylaw No. 2023-01 passed by resolution of Council at their **regular meeting** held May 10, 2023.

Administrator