

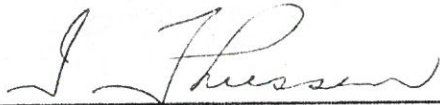
RURAL MUNICIPALITY OF ABERDEEN NO. 373

BYLAW NO. 87.3

A BYLAW TO PROVIDE FOR ENTERING INTO AGREEMENT
FOR THE PURPOSES OF CREATING A JOINT RECREATION BOARD

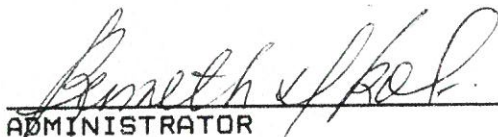
The Council of the Rural Municipality of Aberdeen No. 373 in the Province of Saskatchewan enacts as follows:

1. The Rural Municipality of Aberdeen No. 373 is hereby authorized to enter into an agreement, attached hereto and forming part of this bylaw, and identified as "SCHEDULE A", with the Village of Aberdeen, for the purposes stated within the agreement.
2. The Reeve and the Administrator of the Rural Municipality of Aberdeen No. 373 are hereby authorized to sign and execute the attached agreement, identified as "SCHEDULE A".
3. This bylaw shall have force and effect on the date of mutual signing of the attached agreement.



REEVE

S E A L


ADMINISTRATOR

Certified a true copy of Bylaw No. 87-3

Adopted by Resolution No. 87249 of Council

on the 7th day of December 19 87


Administrator

November 19, 1987

Schedule A

RECREATION BOARD AGREEMENT

Made in duplicate this 7th day of December, 1987.

BETWEEN: The Rural Municipality of Aberdeen No. 373,
in the Province of Saskatchewan, hereinafter
referred to as "The R.M."

AND: The Village of Aberdeen, in the Province
of Saskatchewan, hereinafter referred to as
"The Village".

WHEREAS, the parties above named desire to associate with each other for the purpose of constituting and creating a body corporate, to be known as the "Aberdeen and District Culture and Recreation Board", hereinafter called "The Board",

NOW this agreement witnesseth that the R.M. and the Village on consideration of the premises and of the covenants and stipulation hereinafter contained, mutually promise, covenant and agree one with the other as follows:

DEFINITIONS:

1. In this agreement, including this section:
 - a) "board" means the Aberdeen and District Culture and Recreation Board appointed pursuant to this agreement
 - b) "council" means the council of the Village of Aberdeen and the council of the Rural Municipality of Aberdeen #373 .
 - c) "program-committee" means a committee created by resolution of the board to manage and operate cultural, recreational or sport programs and appointed by resolution of council.
 - d) "facility committee" means a committee created by resolution of the board to manage and operate designated recreational and cultural facilities.
 - e) "capital expenditure" an expenditure in physical assets which creates a long term addition to any facility, therefore increasing its total net worth.

A. PURPOSE OF BOARD

1. The Board's purpose shall be:
 - a) To authorize the management and operation of the following building facilities located within the Village of Aberdeen (including the purchase of required equipment and

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supplies, and the making of other necessary operational expenditures).

1. Aberdeen Skating Rink
2. Aberdeen Curling Rink
3. Aberdeen Community Hall (only after the facility is paid for, and ownership is reverted to the Village.)

b) The Board shall endeavor to enter into an agreement with the Saskatoon East School Division No. 41 to manage, and operate (including the purchase of required equipment and supplies and the making of other necessary expenditures in connection with programs, maintenance and operation), the following grounds facilities located on the property owned by the Saskatoon East School Division No. 41:

1. Tennis Courts
2. Ball Diamonds
3. Track and Playground
4. Football/Soccer Field

c) To establish program committees in connection with the operation of programs in recreation and culture, to include the purchase of required equipment and supplies and the making of other necessary operational expenditures.

2. The Board shall provide advice and information to the Council as to future improvements and expansion of recreational and cultural programs, and shall provide advice as to the expansion and improvement of all recreation facilities within the scope of this agreement.

3. The Board shall endeavor to make all the above mentioned facilities available to all residents of the R.M. and the Village on an equal opportunity basis.

B. COMPOSITION OF BOARD

1. The Board shall consist of seven members to be appointed by resolution of council on a yearly basis as follows;

- a) one member of the council of the Village of Aberdeen.
- b) one member of the council of the Rural Municipality of Aberdeen No. 373.
- c) one member of the Aberdeen Local School Board.
- d) four members at large.

2. Members at large as listed under section B 1,

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subsection (d) of this bylaw shall be nominated at the Annual General Meeting of the Board and appointed by council.

3. Four voting members shall constitute a quorum of the board.

C. TENURE OF BOARD MEMBERS

1. To ensure continuity within the Board four members shall be appointed to a two-year term and three members shall be appointed for a one year term in the year of establishment. Thereafter, all Board members shall be appointed for a term of two years. Two full consecutive terms of office may be served by members. However, there shall be an obligatory one-year's absence following the two terms served.

2. The seat of a member of the Board who is absent for three consecutive regular meetings without authorization by resolution shall be declared vacant. Should a seat become vacant by death, resignation in writing, or otherwise, the Council, upon being notified by the Board, shall at their next regular meeting appoint a person recommended by the Board to fill such vacancy for the remainder of the term.

D. MEETINGS

1. Regular - Within two weeks of the annual meeting, the Village Administrator shall name the time and place of the first regular meeting of the Board. The Board shall meet in regular session at least once per month at a time and place fixed by resolution at the first regular meeting of the year.

2. Special - The Board by unanimous consent of all members, may set its own parameters for the calling of a special meeting, provided that all members are notified of all special meetings.

3. Annual - The annual meeting of the Board shall be held before February 28th of each year. At that meeting the following business shall be conducted:

a) Appointment of board members as elected from the body at large at that meeting.

b) Presentation of most recent available audited financial statement.

c) Approval of the preliminary budget for the current year.

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d) Other business as requested by any person in attendance.

4. General

a) Meetings shall follow Roberts Rules of Order.

b) All actions of the Board shall be by resolution formally moved and adopted.

c) All regular and special meetings shall be open to the public.

d) All members present shall vote on each question except a member who declares a pecuniary interest on a specific question. A member with a pecuniary interest shall declare that interest prior to the vote and shall leave the meeting while the discussion and vote take place.

e) At every meeting of the Board all questions shall be decided by a majority of votes. However, in the case of an equality of votes the question shall be decided in the negative.

f) The Secretary shall at least one week prior to the established date of the annual meeting cause to be published in at least one issue of a newspaper circulating within the Village a notice of annual meeting specifying the date, time and place as to where the meeting will be held.

g) The Secretary shall after the establishment of regular meetings cause to be published in a newspaper circulating within the Village, a notice specifying the date, time and place as to where all regular meetings will be held.

E. DUTIES OF THE BOARD

1. At its first meeting following the annual meeting, the Board shall appoint by resolution one member respectively for the following;

a) Chairperson

i) Shall preside at all meetings.

ii) Shall call the annual and any special meetings.

iii) Shall prepare a written agenda prior to all meetings.

iv) Shall act as signing officer of the Board.

b) Vice Chairperson

i) Shall act in the capacity of Chairperson

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should the Chairperson be unable to perform his duties for any reason.

ii) Shall act as signing officer of the Board in the absence of the Chairperson.

c) Secretary.

i) Shall keep written records of all meetings formally documented by resolution in a minute book, and shall ensure that these minutes are signed and approved at the next meeting.

ii) Shall provide the Board on five (5) working days notice:

- a) Agenda as prepared by the Chairperson.
- b) Minutes of the previous meetings.
- c) Any documentation and information as requested by the Board from time to time.

d) Treasurer

i) Shall deposit all funds in a chartered bank or credit union, and those funds shall be withdrawn only by pre-numbered cheques signed by the treasurer and countersigned by the chairperson or vice chairperson.

ii) Shall keep records of all funds collected and shall issue pre-numbered receipts for all monies collected on behalf of the Board.

iii) Shall submit, for the preceding month, a financial statement of receipts and payments, a bank reconciliation and a list of accounts, including invoices for documentation, to be paid at each regular meeting.

iv) Shall prepare an annual financial report.

v) Shall ready the Board's financial records for audit.

vi) Shall prepare for approval by the Board, the operating and capital budget for the following year, and a projected capital budget for a five year period.

vii) Shall be bonded in the amount of \$10,000.00, to be paid for by the Village of Aberdeen.

viii) The Treasurer may be an "ex officio" member of the Board.

2. General

a) The municipal and school members of the Board shall report to their respective councils on a monthly basis, all actions undertaken by the Board.

b) The Board shall establish annual written goals and objectives, and shall, before December 31st of each year, present to both Councils:

i) A written report on the activities of the Board for the previous year;

ii) An assessment of recreational needs for the current year and for a five year projection.

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iii) A list of all current committees of the Board, for insurance purposes.

c) Should a Chairperson or Vice Chairperson be unable to preside at meetings, the remainder of the Board shall by resolution appoint one member to chair the meeting.

d) The Board shall hire, suspend or fire employees as necessary, and shall authorize the same to any committee it establishes. All employees so hired shall be considered employees of the Board, and shall have an evaluation of performance after one month of service.

e). The Board shall have the power to establish for itself, petty cash funds not exceeding two hundred dollars. Such funds shall be set up in the name of the treasurer of the board or committee, and the treasurers shall be held accountable for all expenditures of such funds.

F. FISCAL YEAR

1. The fiscal year of the Board shall be the calendar year.

G. COMMITTEES OF THE BOARD

1. The Board shall establish the following committees:

a) Facility Committees (in operation independent of each other):

- i) Skating Rink Board
- ii) Curling Rink Board
- iii) Community Hall (after the facility is paid for and ownership is reverted to the Village.)

- b) Grounds Committee
- c) Program Committees

2. Members of these committees shall be nominated at their respective annual meetings and shall be appointed by resolution of Council.

3. All Board established committees shall operate in the manner hereinafter provided:

- a) Tenure of Committee Members
 - i) To ensure continuity within the committees, 1/2 of the members shall be appointed for a two year term and 1/2 of the members shall appointed for a

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one-year term in the year of establishment. Thereafter, all committee members shall be appointed for a term of two years. Two full consecutive terms may be served by members. However, there shall be an obligatory one-year's absence following the terms served.

ii) The seat of a member of the Committee who is absent for three consecutive regular meetings without authorization by resolution shall be declared vacant. Should a seat become vacant by death, resignation in writing, or otherwise, the Board, upon being notified by the Committee, shall at their next regular meeting appoint a person recommended by the Committee to fill such vacancy for the remainder of the term.

b) Meetings

i) Regular - At the annual meeting, the secretary of the Board shall name the time and place of the first regular meeting of the respective committee. The first regular meeting following the annual meeting shall be held no later than November 15th. The committees shall meet in regular session at least once per month at a time and place fixed by resolution at the first regular meeting as above mentioned, with the exception that those committees operating on a seasonal basis shall only be required to meet in regular session during the season of operation.

ii) Special - The committees, by unanimous consent of all members of the respective committee, may set its own parameters for the calling of a special meeting, provided that all members are duly notified of all special meetings.

iii) Annual - The annual meeting of the respective committees shall be held no later than the 31st day of October in each year. At that meeting the following business shall be conducted:

a) Appointment of committee members as elected from the body at large at that meeting.

b) Presentation of most recent audited financial statement, and interim financial statement as available.

c) Presentation of the preliminary budget for the following year.

d) Other business as requested by any person in attendance.

iv) General

a) All meetings shall follow Robert's rules of order.

b) All actions of the committees shall be by resolution formally moved and adopted.

c) All regular and special meetings shall be open to the public.

d) All members present shall vote on each

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question except a member who declares a pecuniary interest on a specific question. A member with a pecuniary interest shall declare that interest prior to the vote and shall leave the meeting while the discussion and vote take place.

e) At every meeting of the respective committees all questions shall be decided by a majority of votes. However, in the case of an equality of votes the question shall be decided in the negative.

f) The secretary of the respective committees shall at least one week prior to the established date of the annual meeting cause to be published in at least one issue of a newspaper circulating within the Village a notice of annual meeting specifying the date, time and place as to where the meeting will be held.

g) The secretary of the respective committees shall after the establishment of regular meeting dates, cause to be published in a newspaper circulating within the Village a notice specifying the date, time and place as to where all regular meetings will be held.

c) Composition of Committees

i) The Committees shall determine their own composition, provided that the committees be composed of a minimum of three members.

ii) The Council and/or the Saskatoon School Board may appoint one member annually to the skating rink committee and/or the curling rink committee. Said appointment may be made at the request of the respective committees.

iii) A quorum shall be equal to the total number of members divided by two, plus one.

d) Duties of Committees

i) At its first meeting following the annual meeting, the respective committees shall appoint by resolution one member respectively for the following:

a) Chairperson

i) Shall preside at all meetings.

ii) Shall call the annual and any

special meetings.

iii) Shall prepare a written agenda

prior to all meetings.

iv) Shall act as signing officer of

the Committee.

b) Vice Chairperson

i) Shall act in the capacity of Chairperson should the Chairperson be unable to perform his duties for any reason.

ii) Shall act as signing officer of the Committee in the absence of the Chairperson.

c) Secretary.

i) Shall keep written records of all

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meetings formally documented by resolution in a minute book, and shall ensure that these minutes are signed and approved at the next meeting.

(5) working days notice:

ii) Shall provide the Committee on five

- a) Agenda as prepared by the Chairperson.
- b) Minutes of the previous meetings.
- c) Any documentation and information as requested by the Committee from time to time.

d) Treasurer

i) Shall deposit all funds in a chartered bank or credit union, and those funds shall be withdrawn only by pre-numbered cheques signed by the treasurer and countersigned by the chairperson or vice chairperson.

ii) Shall keep records of all funds collected and shall issue pre-numbered receipts for all monies collected on behalf of the Committee.

iii) Shall submit, for the preceding month, a financial statement of receipts and payments, a bank reconciliation and a list of accounts, including invoices for documentation, to be paid at each regular meeting.

iv) Shall prepare an annual financial report.

v) Shall ready the Committee's financial records for audit.

vi) Shall prepare for approval by the Committee, the operating and capital budget for the following year, and a projected capital budget for a five year period.

vii) Shall not be required to be bonded but shall be bondable.

viii) The Treasurer may be an "ex officio" member of the Committee.

e) General

i) The Committee shall establish annual written goals and objectives, and shall, before November 30th of each year, present to the Board:

- a) A written report on the activities of the Committee for the previous year;
- b) An assessment of recreational needs for the current year and for a five year projection.

ii) Should a Chairman or Vice Chairman be unable to preside at meetings, the remainder of the Committee shall by resolution appoint one member to chair the meeting.

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iii) The Committees shall hire, suspend or fire employees as necessary. All employees so hired shall be considered employees of the Board, and shall have an evaluation of performance after one month of service.

iv) The Committees shall have the power to establish for itself, petty cash funds not exceeding two hundred dollars. Such funds shall be set up in the name of the treasurer of the committee, and the treasurers shall be held accountable for all expenditures of such funds.

v) Committees established by the Board may establish their own constitution which shall remain consistent with this agreement, and to all statutes governing the Council. Such constitution shall become effective upon approval by the Board.

e) Fiscal Year

i) The fiscal year of the respective committees shall be the calendar year.

H. BUDGET

1. The budget process shall be as follows;

a) Each committee shall present to the board prior to November 30th the following:

- i) Operating budget for the following year.
- ii) Capital projections for a five year period.

b) The Board shall approve, reject, or amend the proposed budgets of the committees:

i) if a committee's budget is rejected, the board shall ask that a new budget be drawn up by that committee and that the budget be resubmitted.

ii) if a committee's budget is only amended it shall be returned to that committee for approval of the amendment.

c) The board shall take all the committees budgets along with their owned planned expenditures and revenues and from this prepare a preliminary budget for presentation to Council prior to December 31st in each year.

d) Council shall receive the Board's budget at their regular meeting in January of each year.

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i) if approved, send it back to the board with no further work to be done.

ii) if amended or rejected, it shall be sent back to the Board with an explanation as to why.

iii) The Board will then readjust the budget for presentation to Council at the first February meeting, or the Board and council may hold a special meeting to find mutual agreement as to the proposed budget

iv) The budget may also be accepted as information and approved at a later date, but no later than the 15th day of March in each year.

e) The Board shall seek approval of the preliminary budget by the Annual Meeting to be held no later than February 28th.

f) The Board budget shall be finalized and approved by council prior to March 15th of each budget year.

I. INSURANCE

1. Property:

a) The Board shall ensure that all buildings under ownership shall be covered by property insurance in such amounts as recommended by committees and approved by respective councils.

b) Coverage for all Village-owned facilities shall be included in the Village of Aberdeen general insurance policy, and the committee of each facility shall include its respective portion of the premium in the yearly operating budget of that facility, and shall reimburse the Village for that portion.

2. Liability:

a) General comprehensive liability insurance shall be obtained by the Village of Aberdeen to cover all activities and operations carried out by the Board and committees as provided for in this agreement.

b) Premium for said liability insurance shall be paid for by the Village and the Facility Committee's involved shall upon receipt of written invoice, reimburse the Village.

c) Volunteer coverage shall be paid for by Council.

3. General:

a) The Village shall obtain a written breakdown of insurance expenses from the insurance company providing

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insurance coverage, and shall distribute copies to the Board and its committees.

b) All volunteers and employees acting on behalf the Board and its committees shall be considered as agents of the Board.

J. CAPITAL EXPENDITURES

1. All capital expenditures shall be made by the Village of Aberdeen and the Board or the Facility Committee involved shall advance to the Village of Aberdeen all capital funds for these expenditures prior to the commencement of the project.

2. The Board, and the Grounds and Facility Committees shall be responsible for the acquisition and setting aside of reserves, in a separate bank account, for future capital projects. The Board and the said Committees shall be authorized to borrow from said Capital Reserve Fund an amount not exceeding ten percent (10%) of the opening balance of their respective Capital Reserve Fund as of the start of the fiscal year, for the purpose of payment of operating expenses. The Board and the Facility Committees shall replace the money borrowed from the Capital Reserve Fund in one of the following ways;

a) From the funds obtained in the same fiscal year.

b) Should the Board and the Facility Committees be unable to repay such funds borrowed from the Capital Reserve Fund in the same fiscal year, the Board and the Facility committees shall;

i) apply for approval to write off the debt by resolution formally moved and adopted at the Annual Meeting of the Board and the Facility Committees.

ii) This resolution shall then be submitted for approval to each of the municipal governments involved.

iii) In the event the Board and the Facility Committees do not receive approval from either municipal government to write off the debt owed to the Capital Reserve Fund, then the Board, and the Facility committees shall incorporate the repayment of the debt in the budget of the fiscal year following the year the debt was created.

3. The Board and Facility Committees shall not have any borrowing powers whatsoever other than those as designated in Section J 1 of this agreement.

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4. Funds to be used for a capital expenditure which are set aside in the reserve fund by the Board or Committee shall be transferred to the general bank account of the Village before that expenditure is made.

K. FUNDING

1. Funding - shall be as per schedule 1.

2. The Council shall remit operating funds as per "Schedule 1" to the Recreation Board before July 31st in each year, except in the year of establishment.

3. The Board shall receive funding from Council for operating and capital purposes on an annual basis, at an amount specified by Council. The Board shall distribute this funding to its respective committees as it sees fit

4. In the year of establishment Council shall grant funding in the amount of \$5,500.00, of which 1,000.00 shall be used towards operating, and the balance towards capital expenditures, to be distributed as the Board sees fit

5. The Board may renegotiate, on an annual basis the funding to be received from Council.

6. Council may by resolution advance or grant funding to the board or committees in addition to funding as per section 2 and 3 above.

7. Council shall receive and turn over to the Board any donations that have been designated to the Board or its committees and the Village shall issue receipts to the donators.

8. Council shall keep the Board informed on all recreation grants or information that it receives pertaining to the Board or its committees.

L. AUDIT

1. The records of the Board, Facility Committees and Program Committees shall be audited annually at the end of the fiscal year. All parties to this agreement shall be provided with a copy of each audited financial statement.

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2. The audit of the Board shall be done by the auditor of the Village. The audit of the committees shall be done by a person approved by Council.

3. Audit fees of the Board only shall be paid by the Village.

M. TERMS OF AGREEMENT

1. The R.M. and the Village mutually agree that this agreement shall be continuous, and renegotiation of all terms may be initiated and undertaken at any time on recommendation of the Board and mutual agreement of the elected officials of the R.M. and the Village. Notwithstanding the above, this agreement shall be reviewed after its first anniversary date.

2. This Board shall be established pursuant to the signing of this agreement and shall operate on a continuous basis. Should the Board cease to operate in accordance with the provisions of this agreement for a period of six months, Council shall meet with the Board and determine a plan of action to ensure the continuance of recreation and culture within the community of Aberdeen.

3. In the event of a disaster or loss of use of any facility, the R.M. and the Village shall, together with the Board and/or committee affected, meet together to discuss:

- a) availability of council resources
- b) availability of provincial resources
- c) community interest
- d) feasibility of construction

In witness whereof the Rural Municipality of Aberdeen No. 373 and the Village of Aberdeen have hereunto affixed their corporate seals and duly attested by the hands of their officers authorized in this behalf, the day and year first written.

November 19, 1987

RURAL MUNICIPALITY OF ABERDEEN NO. 373

I. Thiesman

Reeve

S E A L

Kenneth J. ...

Administrator

VILLAGE OF ABERDEEN

...

Mayor

S E A L

Shelley ...

Administrator