

THE RURAL MUNICIPALITY OF PRAIRIE LAKES
BY-LAW NO. 28
VOLUNTEER SUB COMMITTEES PROCEDURES BY-LAW

PELICAN LAKE HEALTHY WATER AND FISH COMMITTEE
(Healthy Lake Committee)

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF PRAIRIE LAKES TO REGULATE THE PROCEEDINGS AND CONDUCT OF THE COMMITTEE THEREOF.

WHEREAS Sections 107, 108 and 109 of *The Municipal Act*, L.M. 1996 provides for the formation of a Committee of Council;

AND WHEREAS the Council of the R.M. of Prairie Lakes, by resolution no. 071 of 2015, designated the Pelican Lake Healthy Water and Fish Committee to be a Committee of Council;

AND WHEREAS the Mandate for the Pelican Lake Healthy Water and Fish Committee is attached as Schedule "A";

NOW THEREFORE BE IT RESOLVED THAT the Council of The Rural Municipality of Prairie Lakes, in open meeting assembled, enacts as follows:

DEFINITIONS:

2.0 In this By-Law,

- a) "Agenda" means the agenda for a regular or special meeting of Committee of Council.
- b) "Act" means *The Municipal Act* S.M. 1996c.58.
- c) "Chair" means the person presiding at the meeting
- d) "Committee" means a Volunteer Committee or other body established under The Rural Municipality of Prairie Lakes Organizational By-Law, but does not include a Committee of the whole Council or Local Urban District.
- e) "Committee of the Whole Council" means a Committee of all members present at a Council meeting sitting as a Committee.
- f) "Council" means the duly elected Reeve and Councillors of The Rural Municipality of Prairie Lakes.
- g) "In Camera" means in private or to the exclusion of the public.
- h) "Executive Member", is a member that is elected by the full membership to one of the executive positions
- i) "At Large Member" is a member that is non-executive and has met the membership requirements

MEMBERSHIP:

3.0 Any person with an interest in the Pelican Lake Watershed and its health may be a member of the committee.

3.1 The Committee shall consist of up to seven (7) Executive Members

- a) Chair
 - responsible for presiding at monthly meetings;
 - creates the agenda for all meetings;

- liaising with contractors and service providers (as necessary) on various issues;
- ensuring that all by-laws and schedules pertaining to the Committee are adhered to at meetings and in the overall operations of the Committee;
- maintain order during meeting procedures;
- has the authority to call emergency meetings;
- has the authority to cast the deciding vote in the event of a tie;
- acts as the Committee spokesperson in the community;
- review financial reports for all meetings in consultation with the Treasurer.

b) Vice Chair

- responsible for carrying out the duties of the Chairperson, as listed above, in his/her absence.

c) Treasurer

- responsible for maintenance of accurate administrative and financial records and correspondence;

d) Secretary

- responsible for recording the minutes of each meeting and distributing minutes, meeting notes, agendas and correspondence to each board member;
- responsible for distributing copies of the minutes to the Chief Administrative Officer of the RM of Prairie Lakes;
- responsible for maintaining membership list;
- maintains a list of unfinished business with dates for completion. Prepares annual financial statements and budgets for Committee approval.

e) 3 Directors

3.2 If the Committee by a majority vote chooses, it may reduce its Executive Members to five (5) by reducing the number of directors to one (1).

3.3 An Executive Member missing two (2) meetings in a row without a leave of absence will default their position and become an At Large Member; there would be a by-election to replace.

3.4 The Committee may have an unlimited number of At Large Members.

3.5 At Large Members must attend one (1) meeting, event, or function within the two (2) year election cycle in order to maintain their membership.

ELECTIONS:

4.0 Election of Executive Members will be held every two (2) years in October, the year following the The Rural Municipality of Prairie Lakes election and the year preceding.

4.1 A list of the elected Executive Members must be submitted to Council within five (5) business days after the election for approval. Council would not reasonably deny an Executive Member unless, but not exclusive to, conflict of interest, fraud, etc.

4.2 An At Large Member must attend two (2) meetings and have an Executive Member make a motion to accept their membership.

QUORUM:

5.0 A majority of the Executive Members of the Committee constitutes a quorum. This shall be four (4) members in the case of an executive of seven (7) and three (3) in the case of an executive of five (5).

5.1 If an executive position on the Committee is vacant, the quorum will be the majority of the remaining Executive Members of the Committee provided that the minimum number for a quorum cannot be less than three (3) Executive Members.

- 5.2 Lack of a quorum - if no quorum is present within ten (10) minutes after the time scheduled for a meeting the Committee shall stand adjourned, and the Secretary shall enter into the minutes the names of the members present at the meeting.

COMMUNICATION FACILITY

- 6.0 Any member of the Committee participating in a meeting by means of a communication facility shall do so only with prior approval of the Committee and on the terms and conditions set by the Committee.
- 6.1 Members of the Committee participating in a meeting of the Committee by means of a communication facility are deemed to be present at the meeting.

AGENDA

- 7.0 A draft agenda of each meeting of the committee, as prepared by the Chair, together with copies of supporting materials shall be available to the members of the committee at least twenty-four (24) hours preceding the meeting of the committee. If a draft agenda is not available at least twenty-four (24) hours preceding the meeting a draft agenda may be accepted by a majority vote of the members in attendance.
- 7.2 Items may be added to the agenda at a regular meeting of the Committee by a majority vote of the members present, prior to adopting the final agenda for the regular meeting of the Committee.
- 7.3 In preparing the Committee agenda, the Chair shall state the business for consideration in accordance with the following order of business:
1. Call the meeting to order
 2. Confirmation of the minutes
 3. Adoption of the agenda
 4. Reception of delegations at such times as are previously arranged with the Chair to be convenient for the delegation and for the Committee
 5. Communications/Correspondence
 6. Accounts
 7. Reports
 8. Unfinished business
 9. New business
 10. Notice of motion
 11. Adjournment
- 7.4 Notwithstanding the provisions under 7.3, it shall always be in order for the Committee to vary the order in which business on the agenda shall be dealt with by a majority vote of the members present.

REGULAR MEETING

- 8.0 Regular meetings of the Committee shall be held at least four (4) times per year at a time and place at the discretion of the Chair, and the Chair shall notify the Chief Administrative Officer of the RM of Prairie Lakes of the time and place of the meeting no less the five (5) business day prior to the meeting date.
- 8.1 All meetings of the Committee shall be chaired by the Chair, or in his absence, by the Vice Chair. If the Chair or Vice Chair is not present at the time scheduled for a meeting, the Committee may appoint one of its Executive Members to chair the meeting.
- 8.5 At the hour set for a meeting to commence, and providing that a quorum is present, the Chair shall take the chair and shall call the meeting to order.
- 8.7 The Committee shall hold its meetings openly and no person shall be excluded, except for improper conduct.
- 8.8 Despite clause 8.7 of this by-law, the Committee may close a meeting to the public if:

- a) the members decide during the meeting to meet as a Committee to discuss a matter, and the decision and general nature of the matter are recorded in the minutes of the meeting; and
 - b) the matter to be discussed relates to
 - (i) a matter that is in its preliminary stages and respecting with discussion in public could prejudice the committees ability to carry out its activities or negotiations;
 - (ii) the conduct of existing or anticipated legal proceedings;
 - (iii) the security of documents or premises
- 8.9 No resolution may be passed at a meeting that is closed to the public, except a resolution to re-open the meeting to the public.
- 8.10 A copy of meeting minutes shall be provided to the Chief Administrative Officer of the RM of Prairie Lakes.

EMERGENCY MEETING

- 9.0 An emergency meeting may be called to act on events or crises that arise without notice.
- 9.1 An emergency meeting requires that all Executive Members were attempted to be notified of the meeting, and a quorum is present.
- 9.2 An emergency meeting may only deal with ongoing business; any new business or commitments must be deferred to a regular meeting.

VOTING

- 10.0 A member has one vote each time a vote is held at a Committee meeting at which the member is present.
- 10.1 The Secretary must record in the minutes the name of any member who exercises his/her right to abstain from voting on any resolution.
- 10.2 If an equal number of members vote for and against a resolution, the resolution is defeated.
- 10.3 If a motion is has a majority vote and five (5) Executive Members are in opposition of the vote, the motion would be considered to be in conflict. Any unresolvable conflict would be sent to Council for binding resolution.
- 10.4 The Committee may not reconsider or reverse a decision within one year after it is made unless:
 - a) at the same meeting at which the decision is made, all the members who voted on the original resolution are present and agree to reconsider and vote again; or
 - b) a member gives written notice to the Committee, from at least one regular meeting to the next regular meeting, of a proposal to review and reverse the decision.
- 10.5 When Committee reconsiders and reverses a decision, the minutes must show the original decision and the decision made on reconsideration.
- 10.6 Any member of the committee may, prior to the taking of a vote on any question put,

require a recorded vote to be taken. The secretary must record in the minutes of the meeting of the Committee the names of the members present and the vote or abstention of each member.

10.7 Any Motions not acted upon within twelve (12) months following the vote become void.

FINANCIAL MANAGEMENT

11.0 The Committee must prepare and present an annual financial report and accompanying budget to Council no later than Feb 1 in each year.

11.1 The Committee's shall have the financial records audited annually in conjunction the municipal audit.

11.2 In the event the Committee undertakes a capital expenditure not in the annual budget, the expediter must be approved with a majority vote and proved the minutes to Council for approval.

CHAIR OF COMMITTEE TAKING PART IN DEBATE

12.0 If the Chair desires to present or second a motion, or participate in the debate, he must leave the chair, and call upon one of the members to fill his place until he resumes the chair.

CONDUCT

13.0 Every member, prior to his/her speaking, shall address the chair.

13.1 When two or more members address the Chair at the same time, the Chair shall name the member who is to speak first.

13.2 When the Chair is called on to decide a point of order or practice, he/she shall do so without comment unless requested to do so.

13.3 When the Chair is putting a question, no member shall leave his/her chair.

13.4 Discussion shall be limited to the question in debate.

13.5 No member shall speak to the question or in reply for longer than five (5) minutes without approval of the Committee.

13.6 A motion to adjourn takes precedence over all others and may be moved at any time, but the question cannot be received after another question is actually put and while the Committee is engaged in voting.

13.7 Immediately before putting the question, the Chair shall have the privilege of summarizing the debate, but no new matter shall be introduced.

13.8 Where a member is deemed to be in a conflict of interest the member is required under *The Municipal Council Conflict of Interest Act* to withdraw from the meeting.

13.9 Where at a Committee meeting, any person is, in the opinion of the Chair, conducting himself in a disorderly or improper manner, the Chair may require that person to leave the meeting and if that person fails to do so, may cause that person to be removed.

DONE AND PASSED by the Council of The Rural Municipality of Prairie Lakes, duly assembled, at Belmont, Manitoba, this 13th day of May, A.D. 2015.

Reeve.

Chief Administrative Officer.

First reading: *April 8, 2015*

Second reading: *May 13, 2015*

Third reading: *May 13, 2015*

SCHEDULE "A":

THE MANDATE:

The Pelican Lake Health Water and Fish Committee shall be a volunteer committee working towards improving the health of Pelican Lake and its watershed. This may be accomplished through aeration (chemical manipulation), physical repair, monitoring, education and/or lobbying legislation.