

**THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT**

**BY-LAW NO. 25-26**

**BEING A BY-LAW TO ESTABLISH A MUNICIPAL SERVICE BOARD NAMED "THE HUDSON RECREATION, LEISURE, & COMMUNITY EVENTS COMMISSION", IN ACCORDANCE WITH THE MUNICIPAL ACT, 2001, AS AMENDED, AND TO ESTABLISH THE TERMS OF REFERENCE AND MANDATE FOR THE COMMISSION**

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WHEREAS Council wishes to create a Municipal Service Board to deal with recreation, leisure, and community events in Hudson; and

WHEREAS Section 196 of the *Municipal Act, 2001, as amended*, authorizes a municipality to establish a municipal service board and to provide for various matters related to the service board; and

WHEREAS Council deems it advisable and expedient to create a Municipal Service Board named "The Hudson Recreation, Leisure, & Community Events Commission" (the "Commission"); and

WHEREAS Section 23.1 of the *Municipal Act 2001, as amended*, authorizes a municipality to delegate its powers and duties under the *Municipal Act*, or any other Act, to a person or body, subject to restrictions set out in the *Municipal Act*; and

WHEREAS Council wishes to establish Terms of Reference and a Mandate for the Commission;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:

**1.0 MUNICIPAL SERVICE BOARD**

1.1 The Council of The Corporation of the Municipality of Sioux Lookout ("Municipality" or "Council") hereby establishes a Municipal Service Board in accordance with Section 196 of the *Municipal Act, 2001, as amended*, to oversee recreation, leisure, and community events and activities in Hudson, subject to such limits and conditions that the Municipality considers appropriate, and as outlined in this By-law.

1.2 The Municipality establishes the above-noted Municipal Service Board as "The Hudson Recreation, Leisure, & Community Events Commission" (the "Commission"), in accordance with the *Municipal Act, 2001, as amended*.

1.3 The Commission is not a "body corporate".

**2.0 MANDATE**

2.1 The Mandate of the Hudson Recreation, Leisure, & Community Events Commission shall be to:

- Provide local planning, governance and oversight for recreation, leisure, and community events within Hudson.
- Assume responsibility for the planning, coordination, and delivery of community-based recreation, leisure, and community event programming.
- Represent the interests, priorities, and feedback of Hudson residents in recreation, leisure, and community event decisions.

- Work collaboratively with the Municipality through the Staff Resource(s) assigned by the CAO in the areas of recreation, leisure, and community event operations, maintenance, programming, and service delivery.
- Support sustainable and locally-driven recreation, leisure, and community event programming that reflects community needs and participation levels.
- Develop and recommend short- and long-term plans for recreation, leisure, and community event programming and services, including priorities for improvement and expansion.
- Identify, evaluate, and advocate to Council for capital investment opportunities in recreation, leisure, and community event infrastructure and facilities.
- Promote community engagement, volunteerism, and partnerships to enhance recreation, leisure, and community event opportunities and participation.
- Provide financial oversight for assigned programs and services, including budgeting, fundraising, and resource allocation (as applicable).
- Monitor and report on programming and service performance, community usage, and emerging needs to inform ongoing decision-making.
- Manage and administer (rentals and access) designated Municipal recreation facilities as determined by the CAO.

### 3.0 **GOVERNANCE AND GUIDANCE**

3.1 The Commission and Commissioners shall be governed by:

- Municipal Act, 2001, as amended;
- Municipal Conflict of Interest Act (MCIA);
- Municipal Freedom of Information & Protection of Privacy Act (MFIPPA);
- Other applicable legislation;
- Council's Code of Conduct;
- The Municipality's Procedure By-law;
- The Municipality's Purchasing and Procurement By-law;
- The Commission's Mandate and Terms of Reference By-law (this By-law).

3.2 The Commission and Commissioners shall be guided by:

- The Municipality's Strategic Plan;
- The Municipality's Budget;
- The Commission's Annual Work Plan and Budget, as approved by Council;
- The Commission's Strategic Plan (if developed);
- All other Municipality of Sioux Lookout plans which are pertinent to the Commission's mandate.

### 4.0 **MEMBERSHIP**

4.1 **Appointment – Commissioners**

Appointees shall live or own property in Hudson or the adjacent area and shall be eligible electors of Sioux Lookout. Appointments shall be made in accordance with Municipal Policy. After his/her first term, an appointee shall be eligible for reappointment by Council to a successive Term, unless they had been replaced by Council. Council shall endeavour to make appointments which will foster succession and continuity. Appointees continue to serve until they are removed by Council, or until their successor takes office, subject to absenteeism provisions in Municipal Policy.

#### 4.2 **Appointment – Non-Voting Members**

The Commission may, by Resolution, enlist other non-voting resources to assist the Commission, including representatives of government agencies, subject matter experts, and other individuals as deemed necessary by the Commission.

#### 4.3 **Vacancies**

Vacancies shall be filled in accordance with Municipal Policy. Any vacancy, once known, shall be reported to the Clerk's Department by the Staff Resource, and the Clerk's Department shall undertake advertising to fill the vacancy, in accordance with Municipal Policy.

#### 4.4 **Number of Members ("Commissioners")**

The Commission shall consist of a minimum of five and a maximum of seven Commissioners, one of whom shall be a Member of Council. All members shall meet eligibility requirements, as per Municipal Policy and Section 4.1 above. Council shall appoint all Commissioners. The Mayor shall be an Ex-Officio member of the Commission; however, s/he will only have voting privileges in the absence of the Councillor-appointee.

#### 4.5 **Officers and Recording Secretary**

4.5.1 **Officers:** The Officers of the Commission shall be the Chair, the Vice-Chair, the Recording Secretary and the Treasurer. The Staff Resource (as appointed by the CAO), or designate, shall be the Recording Secretary for the Commission, and the Treasurer shall be the Treasurer of the Municipality (typically represented via the Staff Resource).

4.5.2 **Election of Officers:** Officers shall be elected at the Commission's first Regular Meeting of each fiscal year (January 1 – December 31) by and from among the voting members.

4.5.3 **List of Officers to be Provided to Clerk's Department:** A complete list of the key positions, including contact information, shall be provided to the Clerk's Department following the first Regular Meeting of each fiscal year, by the Staff Resource.

4.5.2 **Role of the Chair:** (to be assumed by the Vice-Chair when the Chair is absent or unable to perform the duties)

In addition to the duties of the Presiding Officer as identified in the applicable Procedure By-law, the Chair shall:

- preside at all meetings of the Commission;
- sign all formal documents within his/her authority to do so;
- act as official spokesperson for the Commission when communicating with Council;
- perform such other duties as are usually incident to the office of Chair of the Commission or are required by the Commission.

#### 4.5.3 **Role of the Vice-Chair:**

4.5.3.1 The Vice-Chair shall act in the absence of the Chair in the following circumstances:

- a. When the Chair is absent due to illness or a scheduling conflict;
- b. When the Chair is out of town;
- c. When the Chair refuses to Act; or
- d. When the Chair declares a conflict of interest.

4.5.3.2 When the Vice-Chair acts in place of the Chair they shall have the same authority, rights and powers as the Chair.

**4.6 Ad Hoc and/or Sub-Committees**

The Commission shall have the authority to create and appoint, subject to eligibility criteria established by Municipal Policy and Section 4.1 above, members to serve on standing sub-committees, or project-specific ad hoc committees, and shall prescribe the purpose(s) of any such established sub-committees or ad hoc committees. Such committees shall have the power to make recommendations to the Commission.

**4.7 Remuneration**

Commissioners shall serve without remuneration and shall not receive, either directly or indirectly, any pecuniary benefit from their position as such.

**4.8 Reasonable Expenses**

Notwithstanding Section 4.7 herein, Commissioners shall be entitled to reimbursement for out-of-pocket expenses related to their duties as Commissioners, in accordance with Municipal Policy, and any such expenses shall be approved, by Resolution, by the Commission prior to a Commissioner incurring such expenses.

**5. CONDUCT**

All Commissioners shall adhere to the following framework respecting conduct:

- Comply with the Municipal Conflict of Interest Act.
- Declare pecuniary interest, pursuant to the Municipal Conflict of Interest Act and the applicable Procedure By-law
- Adhere to Council's Code of Conduct.
- Maintain confidentiality, in accordance with Closed Meeting provisions of the Municipal Act, MFIPPA, the Procedure By-law, and any other applicable legislation.

**6. DECISION MAKING AND OPERATIONAL FRAMEWORK**

**6.1 Decision Making**

All Commission decisions shall be informed by, and be in accordance with, Section 3 herein, "Governance and Guidance". Decisions shall be made in the form of a Resolution duly passed at a duly called Regular or Special Meeting.

**6.2 Agendas and Minutes**

**6.2.1 Agendas:** All Commission Meetings shall be conducted in accordance with the Agenda developed for that meeting. Agendas shall be prepared by the Staff Resource (or designate) and circulated to all Commissioners a minimum of one week prior to the meeting date. Agenda packets shall include all pertinent background materials, reports and a copy of the previous meetings' draft Minutes for approval.

**6.2.2 Minutes:** All of the Commission's meeting proceedings shall be recorded, in writing, by the Recording Secretary, and these Minutes shall be presented to the Commission at the subsequent meeting (or as soon as possible) for review and approval. Once approved by the Commission, the Recording Secretary/Staff Resource shall forward the approved Minutes to the Clerk's Department for Council's information (for inclusion on a Council Agenda as information). Agendas/Agenda Packets and approved Minutes shall be posted on the Commission's page on the Municipal website via the Staff Resource/Recording Secretary (or designate).

### 6.3 Meetings

- 6.3.1 **Meeting Frequency:** Commission meetings shall be held at least every other month, or more often, as required and as determined by the Commission, by Resolution.
- 6.3.2 **Meeting Notices:** The Commission shall cause to have published on its page on the Municipal website, at a minimum, a listing of the dates of its meetings. This list shall be published following the first Regular Meeting of each fiscal year, and shall be updated, as required, to reflect additional meetings, cancellations, and changes to dates, times and/or venues, and such changes shall be approved by Resolution, and in accordance with the Procedure By-law.
- 6.3.3 **Meetings Open to the Public:** All Commission meetings shall be open to the public and held in a location accessible to the public, as designated by the Municipality, except those portions of meetings which are held in Closed Session in accordance with the *Municipal Act*, and the Procedure By-law.
- 6.3.4 **Quorum:** Quorum shall consist of a simple majority (50% + 1) of currently appointed Commissioners.
- 6.3.5 **Attendance and Absenteeism:** Commissioners shall endeavour to attend all meetings to ensure the business of the Commission moves forward in a timely fashion. Should a Commissioner be unable to attend a meeting, notice ("regrets") shall be communicated to the Staff Resource (or designate) within 24 hours of receiving the Agenda. The Commission shall determine, by Resolution at each meeting, whether to excuse a Commissioner's absence. In accordance with Municipal Policy, should a Commissioner have three consecutive "unexcused" absences (Regular Meetings), s/he shall be deemed to have resigned. The Staff Resource shall communicate this to the Clerk's Department and the Clerk's Department shall advise Council, and request that Council declare the Commissioner's seat vacant and remove the Commissioner from the Commission. Applicable procedures to fill the vacancy shall be undertaken.

### 6.4 Reporting to Council

- 6.4.1 **Annual Work Plan and Budget Request:** The Commission shall, via a Report authored by the Staff Resource on behalf of the Commission, at or before the February Regular Council Meeting, provide an Annual Work Plan and associated Budget request for Council's review and approval. The Annual Work Plan and Budget Request shall be accompanied by a synopsis of the previous year's Work Plan and budget, outlining and explaining any deviations from the Council-approved Work Plan and Budget.
- 6.4.1.1 **Adherence to Council-approved Work Plan and Budget:** Should the Commission wish to deviate from the Council-approved Work Plan and Budget, the Commission shall pass a Resolution at a duly called meeting, outlining the reasons why and other (if any) alternative initiatives it wishes to undertake. The Resolution shall be brought forward to Council, in the form of a Staff Report, at a subsequent Council Meeting. No deviation from the Council-approved Work Plan or budget shall be undertaken prior to Council's approval.

### 6.5 Municipal Support

- 6.5.1 **Administrative Costs:** Routine administrative costs associated with the work of the Commission shall be paid by the Municipality of Sioux Lookout, from the Department's budget within which the Commission is housed.
- 6.5.2 **Staff Resource:** The CAO shall appoint a Staff Resource(s) to work with and support the Commission's functions. The Staff Resource shall be the sole point of contact between the Commission and the Municipality/Council, and all requests for documentation, reports, support materials, advice/information from other staff (including requests for other staff to attend a Committee Meeting) and other such support shall be arranged through the Staff Resource.

7. **FINANCIAL ARRANGEMENTS**

7.1 **Treasurer**

The Municipal Treasurer is responsible, as specified in the *Municipal Act*, for handling all the financial affairs of the Commission.

7.2 **Purchasing and Procurement By-law**

The Commission shall adhere to the Municipality's Purchasing and Procurement By-law.

7.3 **Expenditures**

Notwithstanding Section 7.2 herein, all Commission expenditures shall be approved by the Commission, by Resolution, prior to making the expenditure. The Staff Resource (or other designated Municipal staff person) shall be the Purchasing Agent for the Commission. No Commissioner shall incur debt or obligation on behalf of the Commission or the Municipality. Spending shall be within the Council-Approved Budget for the Commission, unless a deviation from the Budget has been approved in accordance with Section 6.4.1.1.

7.4 **Agreements**

The Commission or an individual Commissioner is not authorized to enter into or sign any agreement that binds or obligates the Municipality. If the Commission wishes to enter into an agreement with an individual or entity, it shall be forwarded to the Municipality for review, processing, and execution, as necessary.

7.5 **Limits on Spending**

The Commission is not authorized to spend funds in excess of its annual Council-approved budget, and in accordance with the policies and requirements of the Municipality's Purchasing and Procurement By-law. For greater clarity, the Commission shall have the same spending approval limits as a Department Head. All expenditures outside of this approval threshold must be approved by the Treasurer. The Commission is not authorized to spend funds on capital purchases.

7.6 **Applying for Grants**

The Commission is not authorized to apply for grants on behalf of itself or the Municipality. If grants applicable to the Commission's mandate are identified by Commissioners, and shall first be confirmed by Municipal Staff, the Commission may then request that Council consider submitting an application, providing such recommendations are aligned with the Municipality's current Plans and priorities, and with the Commission's Annual Work Plan.

8. **APPROVAL AND REVIEW OF TERMS OF REFERENCE AND MANDATE**

8.1 **Approval**

The Terms of Reference and Mandate, and any amendments thereto, require the approval of Council.

8.2 **Review**

8.2.1 The Terms of Reference and Mandate shall be reviewed by the Commission and Council one year after the Inaugural Meeting of the Commission and, thereafter, every other year at the first Regular Meeting of the fiscal year, or more frequently, as required.

8.2.2 Notwithstanding 8.2.1, the Terms of Reference and Mandate shall be reviewed upon the installation of a new Council, except in 2026.

8.2.3 Council or the Commission may initiate the review of the Terms of Reference and Mandate at its discretion; however, the Commission shall undertake a review upon the request of Council.

9. **EFFECTIVE DATE/ENACTMENT**

This By-law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED TIME THIS FIFTEENTH DAY OF APRIL 2026.



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Doug Lawrance, Mayor



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Brian P. MacKinnon, CAO and Municipal Clerk