

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

BYLAW NO. 518-2008

Being a Bylaw For The Establishment Of The Moresby Island Management Committee (Electoral Area "E").

WHEREAS under section 795 of the *Local Government Act* the Chair of a Regional District Board (hereinafter referred to as the "Board") may establish standing committees for matters the chair considers would be better dealt with by committee and to appoint persons to those committees;

AND WHEREAS under sections 176.(1)(e) and 192.(1) of the *Local Government Act*, the Board may, by bylaw adopted by at least two-thirds of the votes cast, delegate its powers, duties and function, including those specifically established by an enactment, to its committees;

AND WHEREAS the Board wishes to establish a committee under this bylaw and delegate to the committee all of the administrative powers of the Board with respect to the provision of the services for Electoral Area "E" as authorized in the following bylaws:

- (a) Bylaw No. 244-1994 "Extended Service House Numbering";
- (b) Bylaw No. 264-1994 "Sandspit Fire Protection Grant-in-aid Local Service"
- (c) Bylaw No. 339-1998 "Skeena-Queen Charlotte Regional Economic Development Extended Service Conversion & Establishment Bylaw";
- (d) Bylaw No. 459-2004 "Regional District of Skeena-Queen Charlotte Emergency Program Service Establishing Bylaw;
- (e) Bylaw No. 469-2005 "Skeena-Queen Charlotte Regional District Sandspit Water Service Water Establishment Bylaw.

NOW THEREFORE, the Board of the Skeena-Queen Charlotte Regional District, in open meeting assembled enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as the "Moresby Island Management Committee Bylaw No. 518-2008".

2. **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

"Board" means the Board of the Skeena-Queen Charlotte Regional District;

"Committee" means the Moresby Island Management Committee as established by this Bylaw;

“**Sub-Committee**” means a committee established by the Moresby Island Management Committee;

“**Director**” means the Electoral Area “E” Director or his alternate;

“**Service Area**” means all of Electoral Area “E”.

3. MEMBERSHIP

A Committee to be known as the “Moresby Island Management Committee” is hereby established and shall consist of seven (7) members as follows:

- (a) The Director representing Electoral Area “E”;
- (b) The Representative for the Gwaii Trust Electoral Area “E”;
- (c) Five (5) individuals who shall represent the Electoral Area “E”.

4. APPOINTMENT

- (a) The electors of Electoral Area “E” shall elect 5 nominees to be considered by the Board for appointment to the Committee as per the provisions of *Part 3 of the Local Government Act*;

5. TERM OF OFFICE

- (a) The Director representing Electoral Area “E” and the Representative for the Gwaii Trust shall serve a term concurrent with that of their elected position;
- (b) The five appointed members shall serve a three (3) year term of office expiring on December 31st in the third year of office.
- (c) A member is disqualified from office if he is absent from three (3) consecutive regularly scheduled meetings unless the absence is because of illness or injury or with the leave of the Committee.
- (d) In the event of the death, resignation or disqualification of a member of the Committee, the Board shall appoint a successor for the remainder of the term.

6. PROCEDURE

- (a) Regular meetings of the Committee shall be held on the second Wednesday of each month at 7:30 p.m.
- (b) A quorum of the Committee is four (4) members.
- (c) In voting on the Committee all members shall have one vote each.
- (d) The Committee shall in January of each year, by secret ballot, elect a Chair.

- (e) A Special meeting may be called by the Committee at a regular meeting, at any time by the Chair or upon the request of two or more members of the Committee.
- (f) All members of the Committee are to be advised of a Special meeting at least forty-eight (48) hours in advance of the meeting.
- (g) The public must be given at least twenty-four (24) hours of a Special meeting.
- (h) A part of a Committee meeting may be closed to the public if the subject matter being considered relates to one or more of the following:
 - i. labour relations or other employee relations;
 - ii. the security of the property of the Committee;
 - iii. the acquisition, disposition or leasing of property;
 - iv. litigation or potential litigation affecting the Committee;
 - v. the receipt of advice that is subject to solicitor-client privilege;
 - vi. negotiations and related discussions respecting the proposed provision of a municipal service that are their preliminary stages.
- (i) Minutes shall be kept for all meetings of the Committee and a copy of such minutes shall be forwarded to the Board.
- (j) The Committee may appoint Sub-committees to coordinate specific local service areas of responsibility. At least one member of a Sub-committee must be from the Committee.

7. DUTIES

The Board hereby delegates to the Committee all of the administrative powers with respect to:

- (a) the provision of House Numbering Services under Bylaw No. 244-1994;
- (b) the provision of Fire Protection Services under Bylaw No. 264-1994;
- (c) the provision of Economic Development Services under Bylaw No. 339-1998;
- (d) the provision of Emergency Program Services under Bylaw No. 459-2004;
- (e) the provision of Water Services under Bylaw No. 469-2004;
- (f) the provision of Recreation programs;
- (g) the provision of Planning advice.

Without limiting the generality of the above, the Committee shall establish policies governing the provision and operations of the services including the recommendation of levels of users' charges to be established by bylaw of the Board.

The Board retains the right of approval of operation rules, procedures and policies and the level of user charges to be established by bylaw of the Board.

8. BUDGET

- (a) In November of each year the Committee shall prepare an annual budget for the following year which shall include estimates for expected revenue and estimates for administrative, development, maintenance, operational and other expenses and shall submit such budget for the approval of the Board.
- (b) No expenditures other than those provided for in the approved annual budget shall be incurred by the Committee except as authorized by the Board through resolution

9. PROPERTY AND EQUIPMENT

Any property, equipment or facilities acquired by the Committee shall be acquired in the name of the Regional District, shall be the property of the Regional District and shall not be disposed of without the approval of the Regional District.

10. CONTRACTS

All contracts to be entered into by the Committee that may commit the Board shall, unless previously authorized by the Board, be entered into only with the approval of the Board.

11. RESCINDED

Moresby Island Management Committee Bylaw No. 388-1998 is hereby rescinded.

READ A FIRST TIME THIS ____ day of _____, 200__.

READ A SECOND TIME THIS _____ day of _____, 200__.

READ A THIRD TIME THIS _____ day of _____, 200__.

RECONSIDERED, PASSED AND ADOPTED This ____ day of _____, 200__.

Chair

Secretary