

**BYLAW 1381/16**

**COUNCIL COMMITTEES**

**STURGEON COUNTY, MORINVILLE, ALBERTA**

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BYLAW 1381/16 BEING A BYLAW OF STURGEON COUNTY, MORINVILLE, ALBERTA FOR THE PURPOSE OF ESTABLISHING COUNCIL COMMITTEES.

**WHEREAS**, the *Municipal Government Act*, R.S.A. 2000 C.M-26, and amendments thereto provides that a Council may be bylaw establish standing and special committees of Council and delegate powers and duties;

**AND WHEREAS**, the Council of Sturgeon County recognizes the value of Committees to support and facilitate the achievement of Sturgeons Strategic Plan;

**NOW THEREFORE**, the Council of Sturgeon County, hereby enacts the Council Committees Bylaw as follows:

**DEFINITIONS**

**1. In this Bylaw:**

- a. "Act" means the *Municipal Government Act*;
- b. "Agenda" is the order of items of business for a Meeting and the associated reports, bylaws or other documents;
- c. "Bylaw" is a Bylaw of the County;
- d. "Chair" means a person who has authority to preside over a Meeting;
- e. "Committee" means a Council Committee, board, commission or other body established by Council under the *Municipal Government Act*;
- f. "Council" means the Council of Sturgeon County;
- g. "Meeting" means a Meeting of Committee;
- h. "Member" is a Member of a Committee duly appointed by Council, under the *Municipal Government Act*, to that Committee;
- i. "Member-at-Large" means a member of the public appointed by Council to a Committee of Council;
- j. "Minutes" are the record of proceedings of a Meeting recorded in the English language without note or comment;
- k. "Municipal Representative" is a County Staff person who is functionally responsibly for the work and provides administrative and technical support to the committee chair and its membership;
- l. "Public Meeting" means a meeting of committee at which members of the public may attend, but which is not a public hearing; and
- m. "Quorum" is a majority of those members appointed and serving on Committee.

**ESTABLISHMENT**

**2. Council hereby establishes the following committees:**

**2.1 Agricultural Pest Act Appeal Committee**

**2.1.1 Acknowledged within the Agricultural Pest Act, section 14 (5).**

- 2.1.2 Annual Committee Appointment.
- 2.1.3 To hear appeals of notices issued by an inspector which are received in writing addressed to the municipal secretary.

## 2.2 Agricultural Service Board

- 2.2.1 Acknowledged within *Agricultural Service Board Act*.
- 2.2.2 Duties as defined in section 2 of the *Agricultural Service Board Act* to include:
  - 2.2.2.1 Act as an advisory body to assist in matters of mutual concern;
  - 2.2.2.2 Advise on weed and pest control and soil and water conservation programs;
  - 2.2.2.3 Assist in control of animal disease;
  - 2.2.2.4 To promote, enhance and protect viable and sustainable agriculture with a view to improving the economic viability of the agricultural producer; and
  - 2.2.2.5 To promote and develop agricultural policies to meet the needs of the municipality.

## 2.3 Calahoo Villeneuve Sand & Gravel Advisory Committee

- 2.3.1 Acknowledged within the Calahoo-Villeneuve Sand and Gravel Extraction Area Structure Plan Bylaw 922/01 and consistent with Act.
- 2.3.2 The Committee will include representation from the community, County, industry and may include the provincial government, such as Alberta Environment and Alberta Municipal Affairs, and additional relevant stakeholders.
- 2.3.3 The role of the committee will be to:
  - 2.3.3.1 provide guidance and recommendations involving the Community Enhancement Fund;
  - 2.3.3.2 serve as a resource for public information;
  - 2.3.3.3 monitor sand and gravel extraction activities, including but not limited to groundwater, safety, environmental and operating standards;
  - 2.3.3.4 deal with any other potential concerns; and
  - 2.3.3.5 provide communication and issue resolution between the public and industry.

## 2.4 Community Service Advisory Board

- 2.4.1 Acknowledged under section 145 of the Act.
- 2.4.2 The Board makes recommendations to Council on Matters pertaining to Parks and Recreation, Culture, Family and Community Support Services and Library Services.

- 2.5 Economic Development Board
  - 2.5.1 Acknowledged under section 145 of the Act.
  - 2.5.2 This board consists of business leaders and stakeholders in the region who have expertise on business development strategies.
  - 2.5.3 The Board advises Sturgeon County Council and the department on direction, initiatives and practices for economic development activity in Sturgeon County.
- 2.6 Environmental Protection Appeal Board
  - 2.6.1 Acknowledged within section 186(3)(c) of the *Environmental Protection and Enhancement Act*.
  - 2.6.2 Composition must include at least one elected member of Council.
  - 2.6.3 The committee reviewing appeals to environmental protection orders may vary, confirm, or rescind the order being reviewed.
- 2.7 Soil Conservation Act Appeal Committee
  - 2.7.1 Acknowledged within section 14 of the *Soil Conservation Act*.
  - 2.7.2 Membership to include at least three members of Council appointed by resolution of Council.
  - 2.7.3 The committee hears appeals arising out of a notice served to a landowner to take remedial actions set out in a notice as a result of soil loss or deterioration.
- 2.8 Weed Control Act Appeal Committee
  - 2.8.1 Authority Delegated under the *Weed Control Act* Section 19.
  - 2.8.2 A local authority shall establish, at least annually, an independent appeal panel to determine appeals of inspector's notices, local authority's notices and debt recovery notices.
  - 2.8.3 The appeal panel may confirm, reverse or vary the inspector's notice, local authority's notice or debt recovery notice.
- 2.9 Boards and Committee Selection Committee
  - 2.9.1 Acknowledged under section 145 of the Act.
  - 2.9.2 Acknowledged within Appointments of Boards and Committees Members Policy.
  - 2.9.3 Composed of one or more members of County Council, Chair or designates of each Committee and respective Municipal Representative responsible to the Board or Committee.
  - 2.9.4 Provide recommendations for Board Appointments to Council following an established selection process.
- 2.10 Emergency Advisory Committee (Regional Committee)
  - 2.10.1 Established under *Emergency Management Act*, RSA 2000, e-6.8.

- 2.10.2 Acknowledgement within Sturgeon Regional Emergency Management Partnership Agreement and the current Emergency Management Bylaw.
- 2.10.3 The Regional Committee shall be comprised of one member of Council or alternate, from each of the partnering municipalities of the Sturgeon Regional Emergency Management Partnership. Members will be appointed on an annual basis.
- 2.10.4 The purpose/mandate of the Regional Committee:
  - 2.10.4.1 The purpose/mandate of the Regional Committee is to review and approve plans and programs of the Sturgeon Regional Emergency Management Partnership.
  - 2.10.4.2 The Regional Committee is delegated the authority to create policies relating to emergency preparedness, mitigation, response, recovery and the operation of the Sturgeon Regional Partnership Emergency Management Program (SRPEMP).
  - 2.10.4.3 The Regional Committee also has an emergency response role as they will convene for the purposes of supporting the implementation of a State of Local Emergency (SOLE) for two or more municipalities.
  - 2.10.4.4 In the event of an emergency entirely within the boundaries of and affecting only one of the Partner municipalities and that Partner's Municipal Emergency Advisory Committee cannot be reached, the authority and power to declare or renew a State of Local Emergency is delegated to any two (2) or more members of the Regional Emergency Advisory Committee.
  - 2.10.4.5 As the Regional Committee will contain council members from each municipality, each participating council member is responsible for presenting to their elected council the annual report of the SRPEMP.
  - 2.10.4.6 The Council member will, when required, present SRPEMP recommendations to his/her municipal council for consideration.

### **MEMBERSHIP**

3. Committees shall be comprised of a number of participants, both Councillors and Members at Large, as indicated in the Committee Terms of Reference and approved by resolution of Council.
4. All Members of a Committee shall be appointed by Council, and unless otherwise provided in the Committees Terms of Reference, shall be a resident in Sturgeon County.
5. Members at Large shall be appointed by Council to a Committee for a term specified in the committee terms of reference that becomes effective January 1.
6. The Mayor shall be an ex-officio member of all committees and the Mayor, as such member of the committees, shall have all the powers and privileges of any member of the same, including the right to vote upon all questions to be dealt with by such committees.
7. It shall be the duty of the Municipal Representative to give notice of all meetings to all

members of each committee, to attend, and ensure accurate minutes are kept.

8. The Municipal Representative shall not be a member of a Committee and may not vote on any matter.

#### **TERM**

9. Members at Large shall be appointed by Council for a three-year term, unless otherwise provided in the Committee Terms of Reference
  - 9.1 In order to ensure the continuity of membership appointments will be filled on a rotational basis.
10. Members at Large shall be encouraged to serve no more than two consecutive terms.
11. Councillors shall be appointed to Committees annually at the Organizational meeting.
12. Where a Committee position is left vacant for any reason, Council may appoint a replacement for the remainder of that term.

#### **COMMITTEE MEETINGS**

13. At the first meeting of the Committee following the Organizational meeting of Council the committee will:
  - 13.1 Establish the dates for each Committee meeting;
  - 13.2 Appoint a chair; and
  - 13.3 Create or review Committee Terms of Reference.
14. Committee meetings must be held in public.
15. Council Committees may close all or part of the Committee Meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*, Chapter F-25 RSA 2000.
16. When a Meeting is closed to the public no recommendation may be passed at the Meeting, except a recommendation to revert to a Meeting held in public.
17. In accordance with the MGA, all Members are required to keep in confidence matters discussed In-Camera until the item is discussed at a Meeting held in public.

#### **GENERAL PROVISIONS**

18. Each Committee hereby established is deemed to be a Committee of Council shall be responsible and accountable to Council.
19. Retention schedules of the original, signed minutes and agenda packages of Committees are consistent with that identified in the Corporate Records Structure and any other governing legislation.
20. This Bylaw shall govern meetings of Committees hereby established by Council and shall be binding upon all Committee members whether Councillors or Members-at-Large.
21. Each Committee is hereby authorized to prepare a "Terms of Reference" document for recommendation to Council. The Terms of Reference must be approved by Council and will include, at a minimum, the requirements for quorum and voting, number and composition of membership, desired skills of membership, roles of members, process for preparation and circulation of an agenda and minutes, and role of an appointment of the Chair of the Committee. The Terms of Reference may also provide guidance to roles, methods and

frequency of communication between Council and Committees.

22. All members of the Committee, regardless of how they voted on an issue, should accept and support it as a Committee recommendation.
23. Committee Members who have a reasonable belief that they have a pecuniary interest (as defined in the Act) in any matter before a committee or any board, commission, committee or agency to which they are appointed as a representative of, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions and voting on any question relating to the matter. Members of Committee shall remove themselves from the meeting room until the matter is concluded. The minutes shall indicate the declaration of disclosure, the general nature of the pecuniary interest, the time at which the member left the room and the time they returned.
24. Reports by all active committees shall be made to Council on an annual basis.
  - 24.1 The reports of all committees shall be made to the Council prior to the same being given to the public. The powers of the Committees established by this Bylaw are restricted to providing recommendations to Council, unless the Committee's approved Terms of Reference, or legislation, specifically provides otherwise.
25. Nothing included in this Bylaw shall restrict or prevent council from creating or constituting further or other committees not referenced in this Bylaw.

#### **CHAIR**

26. The position of Chair shall not be filled by a Council member.
27. The Chair shall hold office for one year unless otherwise specified in the Committee Terms of Reference.
28. The Chair shall preside over all meetings for the Committee and decide on all points of order that arise.
29. In the absence of the Chair, one of the other Members shall be elected to preside and shall discharge the duties of the Chair during the Meeting, or until the arrival of the Chair.

#### **REMUNERATION**

30. Remuneration and travel expenses for Members at Large shall be in accordance rates and schedules as approved from time to time and reflected on the Monthly expense claim form. All expenditures, as well as the round trip kilometers of each trip, must be itemized.
31. Remuneration expenses for Council Members shall be considered to be already covered with the Councillor's salary.

#### **EFFECTIVE DATE**

32. That this Bylaw shall come into force and take effect upon the date of third reading.

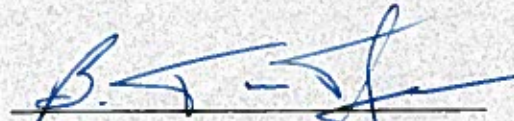
**REPEAL OF BYLAWS**

**33. Bylaws 1306/13 and any amendments thereto are hereby repealed.**

Read a first time this 11<sup>th</sup> day of October,2016.

Read a second time this 11<sup>th</sup> day of October,2016.

Read a third time this 25<sup>th</sup> day of October,2016.

  
MAYOR  
COUNTY COMMISSIONER (CAO)

**If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.**