

MOUNTAIN VIEW COUNTY

BYLAW NO. 10/07

Establishing Committees of Council

Consolidated June 14, 2017

NOTE:

All persons making use of the consolidation are reminded that it has no legislative sanction, that the amendments have been embodied for convenience of reference only, and that the original Acts should be consulted for all purposes of interpreting and applying the bylaw.

Mountain View County
Province of Alberta

Bylaw No. 10/07

A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH THE
COMMITTEES OF COUNCIL.

SECTION 1 - AUTHORITY

- 1.01 Section 145(a) of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 provides that a Council may pass bylaws for the establishment and functions of Council Committees and other bodies.
- 1.02 The Council of Mountain View County considers it expedient to establish Council Committees to support and facilitate the achievement of Mountain View's vision and goals, and to advise Council on matters relevant to Committee mandates.

SECTION 2 - PURPOSE OF THE BYLAW

- 2.01 This bylaw shall govern the establishment and regulation of Council Committees unless a variance is specifically provided for in this bylaw or policy. Any such variance must be set out in the Committee Terms of Reference.

SECTION 3 - DEFINITIONS

- 3.01 In this Bylaw:
- a. **"Administrative Representative"** means the senior administration resource person appointed to a Committee by the Chief Administrative Officer.
 - b. **"Chief Administrative Officer"** means the Chief Administrative Officer for Mountain View County.
 - c. **"Committee"** means a Committee, Board or Commission established pursuant to this bylaw, which may consist entirely of Councillors, a combination of Councillors and Members at Large, or entirely of Members at Large.
 - d. **"Council"** means the Council of Mountain View County.
 - e. **"Councillor"** means a Councillor of Mountain View County.
 - f. **"County"** means Mountain View County.
 - g. **"Ex-officio"** means membership by virtue of ones office. Ex-officio members form part of the quorum only when present at a Committee meetings and, when present, they shall vote.
 - h. **"Members"** means the Committee Members.

(Bylaw No. 33/08)

- i. **“Member at Large”** means a member of the public appointed by Council to a Committee pursuant to this bylaw.
- j. **“Reeve”** means the Chief Elected Official of the County.
- k. **“Terms of Reference”** means those terms pertinent to the establishment and mandate of an individual Committee and which are:
 - i.) in addition to or beyond the parameters of this bylaw, and
 - ii.) set out by this bylaw.

SECTION 4 - ESTABLISHMENT

- 4.01 Council does hereby establish those Committees as set out in Terms of Reference attached to and forming part of Policy No. 1015.
- 4.02 Each Committee shall be deemed to be a Committee of Council and shall be responsible and accountable only to Council.
- 4.03 Committee Terms of Reference shall be reviewed within the first year of an electoral term or as frequently as required to ensure that they reflect the current mandate of the Committee with respect to the responsibility conferred upon the Committee by Council. (Bylaw No. 14/17)

SECTION 5 - POWERS OF COMMITTEES

- 5.01 A Committee shall have the authority to form Ad Hoc Committees and Task Forces from among its members, to assist it in carrying out its objectives and responsibilities under this bylaw.
- 5.02 Ad Hoc Committees and Task Forces established by a Committee shall report to the Committee in a manner determined by the Committee.
- 5.03 A Committee shall not have the power to pledge the credit of the County, to pass bylaws, or to enter into any contractual agreements.
- 5.04 A Committee shall be consulted on the business transactions relating to the ongoing administration of the Committee.
- 5.05 The Committee shall provide a forum for examining timely issues relevant to its mandate by considering topics from the following sources:
 - (i) receipt of requests or suggestions from Council,
 - (ii) requests or enquiries from the public, and
 - (iii) initiation from within the Committee.
- 5.06 The Committee shall prepare letters, recommendations, resolutions, discussion papers and other documents as appropriate to Council.

SECTION 6 - REPORTING TO COUNCIL

- 6.01 Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.
- 6.02 A Committee shall provide Council with an annual summation of Committee activities.

- 6.03 Verbal Committee reports made to Council shall be made by a Member of the Committee.
(Bylaw No. 33/08)

SECTION 7 - PUBLIC PARTICIPATION

- 7.01 Community organizations and individuals that wish to appear before, or communicate directly with Council on any matter referred to within the Terms of Reference of a Committee shall be encouraged to make representations to that Committee.

SECTION 8 - MEMBERSHIP

- 8.01 A Committee shall be composed of the number of members, both Councillors and Members at Large, as indicated in the Committee Terms of Reference.
- 8.02 County Council may appoint County residents, and non-County residents where they have a vested interest, in the County, to a Committee.
(Bylaw No. 22/10)
- 8.03 Member at Large whose property taxes payable to the County are in arrears are not eligible to be appointed to a Committee.
(Bylaw No. 33/08)
- 8.04 Members who are appointed to a Committee and subsequently fall into tax arrears have three months from when the arrears are discovered to pay them before they are disqualified from being a Committee member.
(Bylaw No. 33/08)
- 8.05 Councillors shall be appointed to committees based on Councillor experiences, interest, or future commitment to a committee related training plan. Appointments are intended to occur at the Organizational Meeting but may also occur at a Council meeting following the Organizational Meeting.
(Bylaw No. 14/17)
- 8.06 Members at Large shall be appointed by Council to a Committee effective as of the Organizational Meeting in each year or as otherwise designated by Council;
- (i) In order to ensure continuity of membership in newly established committees, Council may, at the date of appointment, determine which the Members at Large will hold office for one (1) year from the date of appointment and which of the Members at Large will hold office for two (2) years from the date of appointment, unless otherwise stated in the Terms of Reference.
 - (ii) In each succeeding year, Council shall appoint for a two (2) year term, enough members to fill the vacancies created by the expiration of the terms of the Members at Large in that year, unless otherwise stated in the Terms of Reference.
 - (iii) In the event of a vacancy occurring prior to the expiration of a term, the person appointed to fill such vacancy shall hold office for the remainder of that term.
(Bylaw No. 14/17)
- 8.07 The Reeve is an Ex-officio member of those Committees that do not name the position of Reeve in their Terms of Reference.
- 8.08 Council may, for any reasons it considers sufficient, remove a Member at Large of a Committee by resolution.
- 8.09 All Members at Large shall remain in office until their respective successors are appointed.
- 8.10 Any member of a Committee who is absent from three (3) consecutive meetings of the Committee without valid reason shall forfeit his or her office.

SECTION 9 - CHAIR AND VICE CHAIR

(Bylaw No. 14/17)

- 9.01 At its first meeting each year, a Committee shall elect a Chair and a Vice Chair from among its members unless the Terms of Reference states otherwise. (Bylaw No. 14/17)
- 9.02 The Chair is recommended to be a public committee member unless the Terms of Reference for the committee states otherwise. (Bylaw No. 14/17)
- 9.03 The Chair shall hold office for a term of one (1) year from the date of appointment.
- 9.04 The Chair shall preside over all meetings for the Committee and decide all points of order that may arise.
- 9.05 In the absence of the Chair, the Vice Chair shall preside over meetings and shall exercise all the same powers, duties and responsibilities that the Chair would be entitled to exercise if present.
- 9.06 The Chair is the official spokesperson of the Committee. Official comments made by the Chair must reflect the majority position of the Committee. (Bylaw No. 33/08)

SECTION 10 - ADMINISTRATIVE REPRESENTATIVE

(Bylaw No. 14/17)

- 10.01 The Chief Administrative Officer may appoint an Administrative Representative to each Committee.
- 10.02 The Administrative Representative shall ensure that accurate minutes are kept of all regular and special meetings of the Committee, copies of which shall be made, filed with the Chief Administrative Officer or his designate, and available to Council upon request.
- 10.03 The Administrative Representative shall provide advice, research, information and additional support staff as required by the Committee.
- 10.04 The Administrative Representative shall not be a member of a Committee and may not vote on any matter.

SECTION 11 - MEETINGS

(Bylaw No. 14/17)

- 11.01 A Committee shall give at least 24 hours notice of a Committee Meeting or a change in the location or time of a Committee Meeting;
- (a) to the members of the Committee, and
 - (b) to the public.
- 11.02 Notice shall be deemed to have been properly given if posted for public viewing on the Official Notice Board in the main entrance to the County office (Policy No. 1006). and the County website. (Bylaw No. 14/17)
- 11.03 A majority of the Committee members shall constitute a quorum at a Committee Meeting, unless the Terms of Reference indicate otherwise.
- 11.04 All members of a Committee, including the Chair, shall be required to vote on any motion before the Committee, and in the event of a tie, the motion shall be lost.

SECTION 12 - CODE OF ETHICS AND CONDUCT FOR COMMITTEE MEMBERS(Bylaw No. 14/17)

12.01 This code of ethics and conduct is to ensure that Committee Members act honestly, in good faith and in the best interests of Mountain View County identified as Schedule A

(Bylaw No. 14/17)

12.02 All committee members are required to sign the Code of Ethics and Conduct for Committee Members

(Bylaw No. 14/17)

SECTION 13 - APPLICATION OF THE CODE OF ETHICS FOR COMMITTEE MEMBERS (Bylaw No. 14/17)

13.01 Respect for other Member's personal views

- a) Informed decision making is derived from healthy debate through exchange of views by Members in the appropriate forum.
- b) Whilst Members will sometimes disagree with the view of their colleagues, good decision making will be enhanced if those views can be heard and considered.
- c) All Members are given an opportunity to respond to the view of others through the Chair; those responses should be made in a well spirited and responsible manner so as to promote healthy debate and ultimately lead to good decision making.
- d) Members should feel confident to be able to express their views in the meeting without unnecessary interruption.

(Bylaw No. 33/08)

13.02 Respect for Committee decisions

- a) Committee decisions result from a majority of Members voting in a particular way. Not all decisions are unanimous and Members recognize that individual Members are entitled to their own opinions.
- b) Unless subsequently revoked or amended, a decision of the Committee is final.
- c) Without compromising the rights of individual members to maintain opposition to a Committee decision, those Members must both accept and respect the decision made by the majority of their fellow Members through the democratic voting process.
- d) Whilst it is acceptable for an individual Member to publicly state that they did not vote in line with the majority of the Committee colleagues, this must always be done in a manner that is respectful to the Committee decision.

(Bylaw No. 33/08)

13.03 Public comment

- a) Whilst Members are entitled to express their own opinions on Committee matters, this should be done with open acknowledgement of and respect for any Council or Committee decision that does not support a Member's view point.

(Bylaw No. 33/08)

SECTION 14 – GENERAL

(Bylaw No. 14/17)

14.01 The Procedure and Conduct of Council Meetings (Bylaw No. 21/07) shall govern Committees and shall be binding upon all Committee members whether Councillors or Members at Large.

14.02 Compensation for Members at Large who are appointed to provincially legislated Boards and Committees will be paid on a per diem and mileage rate as established by County Council in Policy 1004.

(Bylaw No. 14/17)

SECTION 15 - EFFECTIVE DATE


(Bylaw No. 14/17)

15.01 This Bylaw shall become effective on the date on which this Bylaw is passed pursuant to the Act.


Read the first time this 10th day of October, 2007

Read the second time this 10th day of October, 2007

Read the third time this 10th day of October, 2007



Reeve



Chief Administrative Officer

24 Oct 07
Date of Signing

SCHEDULE A
(Amended by Bylaw No. 14/17)

CODE OF ETHICS AND CONDUCT FOR COMMITTEE MEMBERS

Members shall affirm their obligation as a representative of Mountain View County to act honestly, in good faith and in the best interests of Mountain View County by signing this Code of Ethics and Conduct.

- a) Members agree to respect the personal view of other Members and the decisions of the Committee.
- b) Members agree that they may publicly express their own opinions on Committee matters but not so as to undermine the standing of the County or the Committee.
- c) Members appointed as Chair agree to always represent the opinion or position of the Committee when speaking publicly.
- d) Members agree that they will incur expenditures in a responsible manner.
- e) Members agree to avoid situations where a conflict of interest would apply.
- f) Members agree to act with integrity and respect when interacting with Council, Committee, staff and members of the public.
- g) Members agree to demonstrate fairness in all dealings and conduct and be open with and accountable to Council at all times.
- h) Members agree to conduct themselves in a manner that they would be prepared to acknowledge to other Members and members of Council and the Mountain View County community.

Appointee

Committee Chair

Date Signed