

MOUNTAIN VIEW COUNTY

BYLAW NO. 13/23

ESTABLISHING COMMITTEES OF COUNCIL

**Mountain View County
Province of Alberta**

Bylaw No. 13/23

**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, functions and procedures of Council Committees and other bodies.
- 1.02 Section 203 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 provides that a Council may delegate by bylaw any of its powers, duties, or functions to Council Committees and other bodies.
- 1.03 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 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;

- 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 in addition to the provisions laid out within this Bylaw.

SECTION 4 - ESTABLISHMENT

- 4.01 Council does hereby establish the following Boards and Committees as Standing Committees of Council:
 - a. Agricultural Service Board;
 - b. Audit Committee;
 - c. Aviation Advisory Committee;
 - d. Cremona District Recreation and Culture Board;
 - e. Governance Review Committee;
 - f. Grant Review Committee;
 - g. Intergovernmental Communications Committee;
 - h. Strings and Keys Funding Committee;
 - i. Unsightly Property Abatement Committee;
- 4.02 The following Boards and Committees have been established by other Mountain View County Bylaws and are regulated by the contents of those Bylaws but shall also be required to comply with Section 12 and Section 13 of this Bylaw.
 - a. Municipal Emergency Advisory Committee;
 - b. Municipal Planning Commission;
 - c. Subdivision and Development Appeal Board.
- 4.03 Council may establish additional Committees or Boards and their respective Terms of Reference through either Bylaw or Resolution, or in the event of Joint Committees through agreements with other municipal partners.
- 4.04 Boards or Committees will have their duties, functions, membership, procedures and other characteristics as established in their Terms of Reference.
- 4.05 Each Committee shall be deemed to be a Committee of Council and shall be responsible and accountable only to Council.

- 4.06 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.

SECTION 5 - POWERS OF COMMITTEES

- 5.01 A Committee shall have the authority to form Sub Committees and Task Forces from among its members, to assist it in carrying out its objectives and responsibilities.
- 5.02 Sub 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 The Committee shall provide a forum for examining timely issues relevant to its mandate by considering topics from the following sources:
- a. receipt of requests or suggestions from Council;
 - b. requests or enquiries from the public; and
 - c. initiation from within the Committee.
- 5.05 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.

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.
- 8.03 Members at Large whose property taxes payable to the County are in arrears are not eligible to be appointed to a Committee.

- 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.
- 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.
- 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;
- a. 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;
 - b. 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;
 - c. 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.
- 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

- 9.01 Annually, at its first meeting held after Mountain View County Council's Organizational Meeting, a Committee shall elect a Chair and a Vice Chair from among its members unless the Terms of Reference states otherwise.
- 9.02 The Chair is recommended to be a public committee member unless the Terms of Reference for the committee states otherwise.
- 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.

SECTION 10 - ADMINISTRATIVE REPRESENTATIVE

- 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

- 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 in accordance with Mountain View County's Official Notice Policy.
- 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

- 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
- 12.02 All Members at Large are required to sign the Code of Ethics and Conduct for Committee Members after initial appointment to the Committee and upon the amendment of Schedule A.

SECTION 13 - APPLICATION OF THE CODE OF ETHICS FOR COMMITTEE MEMBERS

- 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 when everyone's views are 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 express their views in the meeting without unnecessary interruption.

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.

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.

SECTION 14 – GENERAL

14.01 The Procedure and Conduct of Council Meetings Bylaw shall be referenced by Committees that do not have a formal procedure outlined within their approved terms of reference, with a focus on maintaining consistency with that Bylaw where possible, and shall be binding upon all Committee members whether Councillors or Members at Large.

14.02 Members at Large that are appointed to Boards and Committees required by Provincial Legislation, including the Subdivision Development Appeal Board, Agricultural Services Board and Municipal Planning Commission, will be paid a per diem and mileage rate as established by Council.

14.03 Members at Large that are appointed to Boards and Committees not required by Provincial Legislation will be paid a mileage rate established by Council unless explicitly noted within the approved Committee Terms of Reference

SECTION 15 – REPEAL OF BYLAW

15.01 Bylaw No. 13/20 and associated bylaws are hereby repealed.


SECTION 16 - EFFECTIVE DATE

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

Read the first time this 26th day of April 2023.

Read the second time this 26th day of April 2023.

Read the third time this 10th day of May 2023.



Reeve



Chief Administrative Officer

May 12, 2023
Date of Signing

SCHEDULE A

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