

**MOUNTAIN VIEW COUNTY**  
**BYLAW NO. 10/07, as Amended**  
**COMMITTEES OF COUNCIL**  
**(CONSOLIDATED ON JANUARY 14, 2009)**

**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.**

OFFICE CONSOLIDATION

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.

Amended by Bylaw Number 33/08

101. 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.
102. 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.

**PURPOSE OF THE BYLAW**

201. 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.

**DEFINITIONS**

301. 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.  
(added Bylaw 33/08, January 7/09)

- 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.

#### **ESTABLISHMENT**

- 401. Council does hereby establish those Committees as set out in Terms of Reference attached to and forming part of Policy No. 1015.
- 402. Each Committee shall be deemed to be a Committee of Council and shall be responsible and accountable only to Council.
- 403. Committee Terms of Reference shall be reviewed on an annual basis to ensure that they reflect the current mandate of the Committee with respect to the responsibility conferred upon the Committee by Council.

#### **POWERS OF COMMITTEES**

- 501. 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.
- 502. Ad Hoc Committees and Task Forces established by a Committee shall report to the Committee in a manner determined by the Committee.
- 503. A Committee shall not have the power to pledge the credit of the County, to pass bylaws, or to enter into any contractual agreements.
- 504. A Committee shall be consulted on the business transactions relating to the ongoing administration of the Committee.
- 505. 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.
- 506. The Committee shall prepare letters, recommendations, resolutions, discussion papers and other documents as appropriate to Council.

#### **REPORTING TO COUNCIL**

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

603. Verbal Committee reports made to Council shall be made by a Member of the Committee.  
(added Bylaw 33/08, January 7/09)

### **PUBLIC PARTICIPATION**

701. 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.

### **MEMBERSHIP**

801. A Committee shall be composed of the number of members, both Councillors and Members at Large, as indicated in the Committee Terms of Reference.
802. All members of a Committee shall be a resident in Mountain View County, unless otherwise provided in the Terms of Reference for that Committee.
803. Member at Large whose property taxes payable to the County are in arrears are not eligible to be appointed to a Committee.  
(added Bylaw 33/08, January 7/09)
804. 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.  
(added Bylaw 33/08, January 7/09)
805. Councillors shall be appointed by Council at the Organizational Meeting or at a meeting following the Organizational Meeting.
806. 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) Retiring Members at Large may be re-appointed provided that no Member at Large may serve more than two (2) consecutive terms on a particular Committee unless otherwise stated in the Terms of Reference.
807. The Reeve is an Ex-officio member of those Committees that do not name the position of Reeve in their Terms of Reference.
808. Council may, for any reasons it considers sufficient, remove a Member at Large of a Committee by resolution.
809. All Members at Large shall remain in office until their respective successors are appointed.
810. 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.

**TERM**

901. Members at Large shall be appointed for a two (2) year term, unless otherwise provided in the Committee Terms of Reference.
902. A retiring Member at Large of a Committee may be re-appointed for successive terms of office by Council as set out in Section 804.
903. 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.

**CHAIR AND VICE CHAIR**

1001. 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 for that Committee require that Council appoint the Chair and Vice Chair.
1002. The Chair shall hold office for a term of one (1) year from the date of appointment.
1003. The Chair shall preside over all meetings for the Committee and decide all points of order that may arise.
1004. 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.
1005. The Chair is the official spokesperson of the Committee. Official comments made by the Chair must reflect the majority position of the Committee.  
(added Bylaw 33/08, January 7/09)

**ADMINISTRATIVE REPRESENTATIVE**

1101. The Chief Administrative Officer may appoint an Administrative Representative to each Committee.
1102. 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.
1103. The Administrative Representative shall provide advice, research, information and additional support staff as required by the Committee.
1104. The Administrative Representative shall not be a member of a Committee and may not vote on any matter.

**MEETINGS**

1201. 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;
  - (i) to the members of the Committee, and
  - (i) to the public.
1202. 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).

1203. A majority of the Committee members shall constitute a quorum at a Committee Meeting, unless the Terms of Reference indicate otherwise.

1204. 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.

#### **CODE OF ETHICS FOR COMMITTEE MEMBERS**

1301. This code of conduct is to ensure that Committee Members act honestly, in good faith and in the best interests of Mountain View County.

- 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.  
(added Bylaw 33/08, January 7/09)

#### **APPLICATION OF THE CODE OF ETHICS FOR COMMITTEE MEMBERS**

1401. 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.  
(added Bylaw 33/08, January 7/09)

1402. 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.

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- 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.  
(added Bylaw 33/08, January 7/09)

1403. 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.  
(added Bylaw 33/08, January 7/09)

**GENERAL**

1501. 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.

1502. 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.  
(renumbered, Bylaw 33/08, January 7/09)

Bylaw 10/07, passed by Council October 10, 2007

Amendments:

Bylaw 33/08 – January 7, 2009