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**BYLAW 1517/20 CONSOLIDATED WITH BYLAW 1553/21, BYLAW 1566/21, BYLAW 1580/22, BYLAW 1588/22 AND BYLAW 1643/23**

**COUNCIL COMMITTEES BYLAW**

**STURGEON COUNTY, MORINVILLE, ALBERTA**

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A BYLAW OF STURGEON COUNTY, ALBERTA, FOR THE PURPOSE OF ESTABLISHING COUNCIL COMMITTEES.

**WHEREAS**, section 145 of the *Municipal Government Act*, RSA 2000 c.M-26 (MGA), and amendments thereto provides that a council may pass bylaws in relation to the establishment and functions of council committees;

**AND WHEREAS**, the Council of Sturgeon County considers it expedient to establish council committees to support and facilitate the achievement of Sturgeon County's Strategic Plan, vision and goals, and to advise Council on matters relevant to the committee mandates;

**AND WHEREAS**, Council has passed bylaws establishing Committee of the Whole, the Governance and Council Services Committee, and ad hoc Task Force(s) and those committees are not subject to this Bylaw;

**NOW THEREFORE**, the Council of Sturgeon County, in the Province of Alberta, duly assembled, hereby enacts as follows:

**TITLE**

1. This Bylaw may be referred to as the "Council Committees Bylaw".

**PURPOSE**

2. The purpose of this Bylaw is to establish the mandate, functions, and procedures of Council Committees established under this Bylaw.

**DEFINITIONS**

3. In this Bylaw:
  - a. "Act" means the *Municipal Government Act*, RSA, c. M-26;
  - b. "Administration" means the County Commissioner and/or his designates.
  - c. "Administrative Representative" means the County employee assigned by the County Commissioner to provide administrative support to a Committee.
  - d. "Chair" means a person who has authority to preside over a Meeting;
  - e. "Council" means the Council of Sturgeon County;
  - f. "Council Committee" or "Committee" means a committee, board, or other body established by Council under the *Municipal Government Act* but does not include an assessment review board established under section 454 of the Act or a subdivision and development appeal board established under section 627;

- g. "Councillor" means a Councillor of Sturgeon County, including the Mayor;
- h. "County" means Sturgeon County;
- i. "County Commissioner" means the Chief Administrative Officer of the County;
- j. "Ex officio" means membership by virtue of one's office. Ex officio Members do not form part of the quorum when present at Council Committee meetings and, when present, shall not vote unless there is a tie vote, in which case the ex officio member shall vote;
- k. "Mayor" means the Chief Elected Official of Sturgeon County;
- l. "Member" is a Member of a Committee duly appointed by Council to that Committee;
- m. "Public Member" means a Member appointed to a Council Committee who is not a Councillor;
- n. "Quorum" is a majority of those Members appointed and serving on a Committee, unless otherwise noted;
- o. "Terms of Reference" means those terms pertinent to the establishment and mandate of an individual Council Committee;

#### **ESTABLISHMENT**

- 4. Council hereby establishes the Council Committees as set out in Terms of Reference appended to and forming part of this Bylaw. The general provisions of this Bylaw apply to all Council Committees; exceptions and variances are noted in the respective Terms of Reference.
- 5. Each Committee is hereby established a Council Committee and is responsible and accountable only to Council.

#### **POWERS OF COMMITTEES**

- 6. A Committee provides a forum for examining timely issues by considering topics relevant to its mandate that come from Council, that emerge as inquiries from the public, or that are initiated by the Committee.
- 7. The powers of the Committees established by this Bylaw include providing recommendations to Council, unless the Committee's approved Terms of Reference, or legislation, specifically provides otherwise.
- 8. Committees do not have the power to pledge the credit of the County or to enter into any contractual agreements.
- 9. Committees have the authority to form ad hoc subcommittees from among their Members, to assist them in carrying out its objectives and responsibilities under this Bylaw.

#### **MEMBERSHIP**

- 10. Committees shall be comprised of Councillors and Public Members, as indicated in the Committee Terms of Reference. If one or more Councillors are appointed as Members of a Committee, an alternate Councillor shall also be appointed.
- 11. All Members of a Committee shall be appointed by Council and shall reside in Sturgeon County.
- 12. The Mayor is an ex officio Member of all Committees but shall not form part of quorum when present and shall not vote unless there is a tie vote, in which case the Mayor shall vote.

**TERM**

13. Unless circumstances require otherwise, Councillors shall serve a 1-year term and shall be appointed to Council Committees at the annual Council Organizational Meeting for terms to take effect immediately.
14. Public Members shall serve a 3-year term unless otherwise approved by Council resolution. Public Members' terms are from January 1 to December 31, unless otherwise provided for by Council resolution.
15. In order to ensure continuity of membership in newly established Committees, Council shall, at the date of appointment, appoint Members for more or less than 3 years to provide for staggered terms.
16. Public Members whose terms are expiring may be re-appointed at Council's discretion.
17. A Member may resign from the Committee by sending written notice to the Committee's Administrative Representative.
18. Council may remove a Member at any time prior to the expiry of the Member's term of office by a resolution of Council.
19. 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.

**MEMBER CONDUCT**

20. Councillors shall be subject to the Council Code of Conduct Bylaw.
21. Public Members shall be subject to the Board and Committee Public Member Code of Conduct Bylaw.
22. Any Public Member who is absent from three consecutive meetings of the Committee shall forfeit his or her office, unless there is a resolution of the Committee accepting a valid reason for his or her absence.

**MEETINGS AND MEETING PROCEDURE**

23. Committees shall follow the County's Procedure Bylaw in the conduct of its meetings.
24. At its first meeting of the calendar year, each Committee shall determine its meeting dates and times for the upcoming year.
25. Meetings other than those scheduled in accordance with section 24 of this Bylaw may be called by the Chair, and notice of meetings must be given in accordance with the Act.
26. All Members are voting Members of the Committee.
27. Councillors appointed as alternates may vote when attending a meeting on behalf of a Councillor who is a regular Member.
28. A vacancy on the Board does not impair the right of the remaining Members to act as long as the majority of the Members remain.
29. Quorum shall be a majority of Members of the Committee.
30. Committee meetings must be held in public unless 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*, c.F-25 RSA 2000.
31. When a meeting is closed to the public, no motion may be passed at the Meeting, except a motion

to revert to a meeting held in public.

32. The Administrative Representative will record meeting minutes in accordance with the Procedure Bylaw.
33. Committee meetings shall be audio recorded and recordings shall be retained in accordance with the County's Corporate Records Structure.

#### **CHAIR AND VICE CHAIR**

34. Annually, at the first meeting of the calendar year, each Committee shall elect a Chair and Vice Chair from among its Members.
35. A Chair and Vice Chair may serve successive terms without limitation.
36. The Chair shall preside over all meetings for the Committee, decide all points of order that may arise, and liaise with the Committee's Administrative Representative.
37. The Chair shall participate in the recruitment of new Members when vacancies arise in accordance with the Board and Committee Public Member Appointment Policy.
38. The Chair, on behalf of the Committee, must present a summary of its activities for the preceding year to Council in a form acceptable to Council containing the information required by Council.
39. 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.
40. In the absence of the Chair and Vice Chair, the Committee may elect a Member to preside at a meeting in accordance with the Procedure Bylaw.
41. A Councillor may not serve as the Chair of any Committee but may serve as Vice Chair.

#### **ADMINISTRATIVE SUPPORT**

42. The County Commissioner shall appoint a member of Administration to provide administrative support to the Committee, and this person shall be referred to as the Administrative Representative.
43. The Administrative Representative is not a Member of the Committee and shall not vote on any matter.
44. The Administrative Representative shall ensure that the Committee's files, including agenda packages and signed minutes of the Committee, are retained in accordance with the County's Corporate Records Structure and any other governing legislation. The Administrative Representative shall also ensure that notice of meetings is provided, that meeting logistics are coordinated, and that Public Members are compensated in accordance with the Board and Committee Public Member Remuneration Policy.
45. Upon the Committee receiving its annual mandate letter from the Governance and Council Services Committee, the Administrative Representative shall assist the Committee with the development of a workplan to achieve the objectives set out in the mandate letter and file a copy of the workplan with the Legislative Services Department.
46. The Administrative Representative shall provide orientation to the whole Committee at the first meeting of each calendar year, which shall include a review of this Bylaw, the Public Member Code of Conduct Bylaw, and the Board and Committee Member Remuneration Policy.

#### **REMUNERATION**

47. Councillors who are Members of the Committee shall be eligible to receive remuneration in accordance with the Elected Official Remuneration Policy.

48. Members of the Committee who are not Councillors shall be eligible to receive remuneration in accordance with the Board and Committee Public Member Remuneration Policy.

**REPEAL OF BYLAWS**

49. Bylaws 1381/16 and 1420/18 are hereby repealed.

50. Motions 062/17, 195/17, 260/18, and 108/19 approving Terms of Reference for Council Committees by resolution are hereby rescinded.

**EFFECTIVE DATE**

51. This Bylaw shall come into force and take effect on January 1, 2021.

**NOTE: Consolidation created under Section 69 of the *Municipal Government Act*, RSA 2000, C.M-26 and Bylaw 1473/20, printed under the authority of Legislative Services.**

**Bylaw 1517/20, passed by Council December 1, 2020.**

**Amendments: Bylaw 1553/21, passed by Council July 13, 2021.**

**Amendments: Bylaw 1566/21, passed by Council February 26, 2022.**

**Amendments: Bylaw 1580/22, passed by Council February 26, 2022.**

**Amendments: Bylaw 1588/22, passed by Council May 25, 2022.**

**Amendments: Bylaw 1643/23, passed by Council January 30, 2024.**

**<sup>1</sup>SCHEDULE "A" – SAND AND GRAVEL ADVISORY COMMITTEE****STATEMENT OF PURPOSE**

1. The Committee makes recommendations to Council on matters pertaining to the opportunities and community impacts of resource extraction and processing in Sturgeon County, particularly focusing on sand and gravel commodities. The goal of the Committee is to leverage the expertise of the public and industry to inform municipal policy and regulation for resource extraction in the County, considering environmental, social, and economic objectives.

**COMPOSITION OF COMMITTEE**

2. The Committee shall be comprised of the following voting members:
  - a. 2 Councillors; and
  - b. 5 Public Members
3. Industry Members operating within Sturgeon County shall be invited as ongoing advisory / non-voting members. One representative of each company may attend, and do not need to be residents of Sturgeon County.
4. In selecting public members, Council shall endeavor to balance geographic representation across the County, while ensuring a minimum of one representative from Divisions 3 and 6.

**DUTIES AND POWERS**

5. The Committee shall:
  - a. Consider the environmental, social, and economic implications of resource extraction, particularly sand and gravel extraction activities;
  - b. Serve as a resource for public information;
  - c. Perform duties as described in the Community Grant Policy pertaining to the distribution and public acknowledgement of Community Aggregate Payment (CAP) Levy payments, for Council's consideration;
  - d. Review applications and recommend the award of Dale MacMillan Scholarship applications for Council's consideration;
  - e. Encourage and invite additional industry and governmental technical experts to advise on Committee business as directed by Council;
  - f. Receive updates on pending or ongoing extraction activities;
  - g. Provide comment to Council on provincial and municipal regulatory changes that affect gravel extraction activities within the County; and
  - h. Provide advice to Council on advocacy with key stakeholders

**QUORUM**

6. Quorum of the Committee is 4 Members, a minimum of 3 which must be Public Members.

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<sup>1</sup> 1643/23