

OLDMAN RIVER REGIONAL SERVICES COMMISSION

BYLAW NO. 2021-02

BEING a bylaw respecting the administration and the provision of services of The Oldman River Regional Services Commission

WHEREAS the Oldman River Regional Services Commission has been declared a “continued commission” pursuant to Section 602.47 of the *Municipal Government Act* and by Ministerial Order No. MSD:072/20, known as the Regional Services Commissions Order, signed by the Minister of Municipal Affairs, and coming into effect on September 1, 2020; and

WHEREAS, pursuant to Part 15.1, Section 602.09 (1)(c) of the *Municipal Government Act*, the Oldman River Regional Services Commission must pass a bylaw respecting the administration of the Oldman River Regional Services Commission; and

WHEREAS Bylaw No. 2013-1 and Bylaw No. 2013-2 were adopted and the Board now wishes to repeal those bylaws, and replace it with Bylaw 2021-01 (Board of Directors and Executive Committee Bylaw), Bylaw 2021-02 (Administrative Bylaw) and Bylaw 2021-03 (Procedural Bylaw).

NOW THEREFORE, the Board of Directors for the Oldman River Regional Services Commission hereby enacts the following:

Mission Statement

The Oldman River Regional Services Commission will provide professional municipal planning, geographical information system (GIS) and regional assessment review board services and advice to our municipal members and their citizens in a professional manner befitting a non-profit entity.

1. TITLE

- 1.1 This bylaw may be cited as the “Administrative Bylaw”.

2. DEFINITIONS

- 2.1 For the purpose of this Bylaw, the following are defined as:

- a. **Act** means the *Municipal Government Act*, R.S.A 2000, c. M-26.
- b. **Board** means the Board of Directors of the Commission.
- c. **Chief Administrative Officer** means the Chief Administrative Officer (CAO) for the Oldman River Regional Services Commission.
- d. **Chair** means the chairperson of the Board and the Executive Committee.
- e. **Commission** means the Oldman River Regional Services Commission.
- f. **Director** means a person appointed to the Board of Directors of the Commission in accordance with this Bylaw.
- g. **Executive Committee** means the seven (7) Board of Directors elected at the Annual General Meeting, consisting of a Chair, Vice-Chair and five (5) Committee members.
- h. **Member** or **Members** mean the member municipalities, as set out in section 5.5.

3. APPLICATION

- 3.1 This Bylaw applies to all members and employees of the Oldman River Regional Services Commission.

4. REPEAL

- 4.1 Bylaw No. 2013-1 and Bylaw No. 2013-2 are repealed and replaced by this Bylaw.

5. INTRODUCTION AND APPLICABILITY

Introduction

- 5.1 This Regional Services Commission continues operations under Part 15.1 of the *Municipal Government Act* and through Ministerial Order and will be called the Oldman River Regional Services Commission (ORRSC).

Principal Role

- 5.2 The Commission's principal role is to provide the services outlined in service contracts signed and entered into with and by the municipal members. Generally, the Commission provides a wide range of municipal planning services, geographic information systems and/or services and regional assessment review board services.
- 5.3 Where contracted services are unaffected, the Commission may provide these services to municipalities outside of its membership and outside of its geographic area.
- 5.4 The Oldman River Regional Services Commission will honour all commitments to members and employees made under its former name, the "Oldman River Intermunicipal Service Agency".

Municipal Membership

- 5.5 The Municipal Membership consists of those municipalities listed in Schedule A. Schedule A does not form part of this bylaw and may be amended by resolution by the Executive Committee.

Becoming a Member

- 5.6 Municipalities wanting to join the Commission may do so after ratification by the Board.
- 5.7 A standard service contract/agreement must be entered into with the Commission.
- 5.8 An initial one-time entrance fee based on a formula derived by the Executive Committee must be paid to establish equity and ensure the set-up and administration of services for the municipality.

Fees

- 5.9 Annual Membership Fees charged to member municipalities will be in accordance with the requisition formula(s) prescribed by the Executive Committee.
- 5.10 Fee for Service charges to member municipalities and non-member clients will be in accordance with the rates prescribed by the Executive Committee.
- 5.11 Subdivision Application Fees charged will be in accordance with the rates prescribed by the Executive Committee.
- 5.12 Geographical Information System (GIS) Membership Fees charged to participating member municipalities and to non-member clients will be in accordance with the rates prescribed by the Executive Committee.
- 5.13 Regional Assessment Review Board Fees charged to participating member municipalities will be in accordance with the rates prescribed by the Executive Committee.

Members Withdrawing

- 5.14 Any municipality withdrawing from membership in the Commission in accordance with the standard contract/agreement shall be provided with the following materials and information only:
- Digital copy of current land use bylaw and statutory plans
 - Digital copy of current land use bylaw maps and statutory plan maps
 - Original subdivision files (after the files have been digitized for Commission records)
- 5.15 A document acknowledging receipt of the materials noted above shall be signed by a municipal representative.
- 5.16 An amendment to the membership requires notification to the Minister of Municipal Affairs.

Dissolution of the Regional Services Commission

- 5.17 At such time as the Board votes to dissolve the Oldman River Regional Services Commission, the assets of the Commission shall be liquidated and distributed to the municipalities that are members at the time of dissolution.
- 5.18 Assets will be distributed by:
- Satisfying or retiring any outstanding liabilities that may exist, and
 - The remaining assets will be divided among the current member municipalities based on a percentage equal to the percentage of total annual membership fee contributions made by each member. The total annual membership fee contributions will be calculated from the date the municipality became a member starting from the year 1995.

6. CHIEF ADMINISTRATIVE OFFICER

General

- 6.1 The CAO is authorized to represent the Commission at any proceeding, hearing or other meeting.
- 6.2 The CAO may refer items to any of the Commission's committees for their consideration and recommendation to the Board.
- 6.3 The CAO is authorized to prepare or assist in the preparation of statutory plans and land use bylaws when requested to do so by a member municipality.
- 6.4 The CAO is authorized to provide such assistance and advice to a municipality as may be agreed upon with the member municipality.
- 6.5 The CAO is authorized to provide assistance and advice to the province, other commissions, agencies and individuals.

Finance

- 6.6 The CAO is authorized to make expenditures, as set out in the budget approved by the Board, to apply to the current fiscal year, including incidental expenditures not specifically detailed in the budget.
- 6.7 The CAO is authorized to sign contract/agreements on behalf of the Commission for the purchase of services and materials duly authorized.
- 6.8 The CAO shall be responsible for:
 - The keeping of proper records of the transactions of the Commission,
 - The keeping of accounts of the Commission revenues and expenditures,
 - The preparation of annual financial statements of the Commission, and
 - The preparation of an annual report outlining the Commissions activities of the preceding fiscal year.
- 6.9 The CAO is authorized to approve disposal of any and all assets, of original purchase value of \$5,000 and less, deemed to be beyond economical repair, obsolete, or surplus to the needs of the Commission.
- 6.10 The CAO can sign a cheque for a value not to exceed \$1,000.00 without the signature of the Chair or Vice-Chair or designate.

Personnel

- 6.11 The CAO is authorized to appoint all personnel pursuant to the functional staff chart, staff complement, class numbers and class titles, pay grids and pay ranges authorized by the Executive Committee.
- 6.12 The CAO is authorized to employ temporary personnel within the limits of the operating budget.
- 6.13 The CAO is authorized to employ legal counsel or other consultants within the framework of the approved budget.
- 6.14 The CAO is authorized to organize the staff, within the approved staff complement and within the functional structure approved by the Executive Committee, to meet the objectives of the Commission's budget, work program and principal duties. In organizing the staff, the CAO shall use their discretion and discuss matters of significance with the Executive Committee.
- 6.15 The CAO is authorized to plan, organize and direct the activities of staff, legal counsel and other consultants as may be employed, to achieve the intent of the annual work program and to fulfill the functions of the Commission.
- 6.16 The CAO is authorized to recommend detailed remuneration and personnel practices to the Executive Committee to apply to staff.
- 6.17 The CAO is authorized to suspend or dismiss staff in accordance with policies established by the Executive Committee.
- 6.18 The CAO is authorized to reclassify, change job description, or change the pay of staff in accordance with policies established by the Executive Committee.

Signing Authority

- 6.19 The CAO is authorized to affix a signature to documents required to bear the endorsement of the Commission in the administrative execution of its decisions and contractual arrangements.
- 6.20 The CAO is authorized to certify copies of all orders, decisions, approvals, notices, or other things made, given or issued by the Commission.
- 6.21 The CAO may designate, subject to ratification by the Executive Committee, one or more members of their staff to act in the capacity of CAO to co-sign cheques.

- 6.22 The CAO or other staff authorized by the Executive Committee may endorse documents related to contractual arrangements with respect to subdivision processing and approval.

Delegation

- 6.23 The CAO is authorized to delegate all or some of their responsibilities but shall remain responsible to the Board and the Executive Committee for the overall performance of these duties.

Advisory Powers and Duties – General

- 6.24 The CAO may discuss planning matters with the Board and its Committees and advises them:
- With respect to such policies and guidelines as are required to assist them in carrying out their duties, and
 - On matters before them for decision.
- 6.25 The CAO advises the Executive Committee where legal action may be required.
- 6.26 The CAO advises the Executive Committee on matters of principle and policy affecting Commission operations.

Advisory Powers and Duties – Financial

- 6.27 The CAO reviews and recommends to the Executive Committee the details of the annual budget estimates and work plan.
- 6.28 The CAO recommends to the Executive Committee, as may be felt necessary by passage of time and events, the deference of the purchase of items set out in the budget and the purchase of other items substituted in their place.
- 6.29 The CAO recommends to the Executive Committee the purchase of unbudgeted items as required.
- 6.30 The CAO recommends to the Executive Committee proposals for office accommodation for the Commission.
- 6.31 The CAO recommends to the Executive Committee the transfer of moneys from one budget account to another, if required.

Advisory Powers and Duties – Personnel

- 6.32 The CAO recommends to the Executive Committee a staff complement, a staff structure, an assignment of pay grades to job classifications, pay grids, pay ranges, a program of fringe benefits, and personnel policies that should apply to staff of the Commission.

- 6.33 The CAO recommends to the Executive Committee overall policy with respect to personnel and remuneration principles that should apply to Commission staff.

7. AMENDMENTS

- 7.1 Notification of alteration, amendment, or repeal of this bylaw shall be provided to Directors and Members of the Commission on file with the Executive Assistant 30 calendar days prior to such action being adopted by the Board of Directors. The designated representative for Members specifically for such notices shall be the Chief Administrative Officer of the Member.
- 7.2 In accordance with 602.09 of the *Municipal Government Act*, a bylaw to amend this bylaw does not come into force until the bylaw is passed by a majority of the Board of Directors.

8. ENACTMENT

- 8.1 This Bylaw shall come into force and have effect upon third and final reading.

Read a first time this 31 day of August, 2021.

Read a second time this 31 day of August, 2021.

Read a third and finally passed this 31 day of August, 2021.


Chair – Gordon Wolstenholme


Chief Administrative Officer – Lenze Kuiper

Schedule A – Member Municipalities

Municipal Districts (MDs):	Pincher Creek No.9 Ranchland No. 66 Taber Willow Creek No. 26
Counties:	Cardston Lethbridge Vulcan Warner No. 5
Specialized Municipality:	Municipality of Crowsnest Pass
City:	Brooks
Towns:	Bassano Cardston Claresholm Coalhurst Fort Macleod Magrath Milk River Nanton Nobleford Picture Butte Pincher Creek Raymond Stavely Vauxhall Vulcan
Villages:	Arrowwood Barnwell Barons Carmangay Champion Coutts Duchess Cowley Glenwood Hill Spring Lomond Milo Stirling Warner