

Amendment to Bylaw 877, 2014 - Bylaw 877, 2014 is attached below

**MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 1004, 2018

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 877-2014, being the municipal Agriculture Service Board Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to amend the agricultural service board bylaw for the purposes of changing the membership of the board.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. That Section 3.B.i) be amended to read:
"The Board shall consist of up to six (6) members, all of which shall be appointed by Council. Council will seek recommendation from the Board regarding these appointments. These six (6) members shall be comprised of four (4) members-at-large from the citizens of the Municipality and two (2) Municipal Councillors."
2. That Section 3.B.ii) be amended to read:
"Member Terms – Each member of the Board shall hold office for a term. The following terms of appointment shall apply: six (6) members-at-large shall hold positions for three (3) year terms and the two (2) Municipal Councillors shall hold office for a one (1) year term. Each term shall commence January 1st of the applicable year, except where a member appointment has been made to fill a vacancy for the balance of a term. In such instances the term shall commence immediately upon member appointment."
3. Bylaw No. 944-2015 is hereby amended.
4. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 10th day of April, 2018.

READ a **second** time this 24th day of April, 2018.

READ a **third** and final time this 24th day of April, 2018.



Blair Painter
Mayor



Patrick Thomas
Chief Administrative Officer

MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 877, 2014

A BY-LAW OF THE MUNICIPALITY OF THE CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, ESTABLISHING THE CROWSNEST PASS AGRICULTURE SERVICE BOARD AND SET FORTH THE DUTIES AND RESPONSIBILITIES THEREFOR.

WHEREAS, the Municipal Government Act authorizes the appointment of an Agriculture Service Board to advise on such powers as determined by Council for the control and supervision of Agriculture Service Board Programs;

NOWTHEREFORE, The Council of the Municipality of Crowsnest Pass, duly assembled, does hereby enact as follows:

1. DEFINITIONS

- a) “**CAO**” means the Chief Administrative Officer for the Municipality of Crowsnest Pass, and his/her duly authorized designee(s).
- b) “**Council**” means the duly elected officers of the Municipality of Crowsnest Pass
- c) “**Board**” means the Crowsnest Pass Agriculture Service Board
- d) “**Municipality**” means the Municipality of Crowsnest Pass
- e) “**Minister**” means the Minister determined under the current Alberta *Government Organization Act* as the Minister responsible for this Act

2. EFFECTIVE DATE

Bylaw 877, 2014 comes into full force and effect upon the final passing thereof. Bylaw 825, 2011 is hereby repealed.

3. ESTABLISHMENT

A) NAME

- i) There is hereby established and constituted a Board to be known as the Crowsnest Pass Agriculture Service Board to exercise the duties, powers, and functions as prescribed by this By-Law.

B) BOARD MEMBERSHIP

- i) The Board shall consist of up to five (5) members, all of which shall be appointed by Council. These five (5) members will be comprised of one (1) Municipal Councillor and four (4) members-at-large.
- ii) Each member of the Board shall hold office for a term. The following terms of appointment shall apply: two (2) positions for a two (2) year term, two (2) positions for a three (3) year term, and the Municipal Councillor shall hold office for a one (1) year term. These terms will commence on January 1st of the appropriate year, except where a member appointment has been made to fill a vacancy for the balance of a term. In such instances the term will commence immediately upon member appointment.

C) DISMISSAL

- i) Notwithstanding Section 2 (B) (ii), Council may, for any reason it considers proper, revoke the appointment of a member of the Board and appoint a successor to fill the vacancy for the remainder of the term.

D) RESIGNATION

- i) Any member of the Board may resign at any time by forwarding written notice to that effect to the Chairperson and/or CAO.

E) DISQUALIFICATION

- i) A member ceases to be a member of the Board when he or she:
 - 1. Fails to attend three (3) consecutive regular meetings of the Board, unless such absence is due to illness or authorization by resolution of the Board;
 - 2. In the case of members-at-large appointed from the Municipality, ceases to be a resident of the Municipality.
 - 3. Is hired in any capacity with the Municipality.
 - 4. In the case of the Municipal Councillor, ceases to be a member of Council.

F) VACANCIES

- i) The Board shall advise the CAO when a mid-term vacancy occurs on the Board.
- ii) The Municipality will advertise any current and impending vacancies of the Board, and applicants shall be forwarded to Council for appointment.
- iii) The outgoing Board Members are entitled to reapply.

G) OFFICES

- i) At its first meeting in January of each year, a Chairperson and Vice-Chairperson shall be chosen by majority vote of the Board for a term of Office for one (1) year;
- ii) Should a Chairperson or Vice-Chairperson position become vacant prior to the expiry of his/her one (1) year term of Office, another member shall be appointed to the applicable Office by majority vote of the Board;
- iii) The Chairperson is the Chief Officer of the Board and shall preside at all meetings of the Board when present. He/She will be responsible for supervising the conduct of the Board members in the performance of their duties and bring such matters to the attention of the Board as warranted;
- iv) The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence, as well as such other duties as directed by the Board;
- v) Clerical and minute taking assistance will be provided by appointed staff of the Municipality.

H) DUTIES

- i) The duties of the members of the Agriculture Service Board (as per the current Alberta Agricultural Service Board Act) shall be:
 - 1. To act as an advisory body and to assist the Council and the Minister, in matters of mutual concern;
 - 2. To advise on and to help organize and direct weed and pest control and soil and water conservation programs;
 - 3. To assist in the control of animal disease under the Animal Health Act;
 - 4. To promote, enhance and protect viable and sustainable agriculture with a view to improving the economic viability of the agricultural producer;
 - 5. To promote and develop agriculture and environmental policies to meet the needs of the Municipality;
 - 6. To hear public delegations and review disputes and/or complaints regarding activities and policies of the Board.
- ii) The Agricultural Fieldman shall act as a designated officer of the Municipality as per the current Alberta Agriculture Service Board Act:
 - 1. In carrying out functions, duties, and powers of the Municipality under any Act relating to Agriculture, and;
 - 2. In implementing projects respecting agriculture and environment agreed upon between the Council and the Minister.
- iii) An Agricultural Fieldman is, in the Municipality employing that fieldman (as per the current Alberta Agriculture Service Board Act):
 - 1. A Municipal inspector under the Weed Control Act and Regulations;
 - 2. An inspector of the Municipality under the Agricultural Pests Act and Regulations, and;
 - 3. A soil conservation officer of the Municipality under the Soil Conservation Act and Regulations.

I) REMUNERATION

- i) All members-at-large of the Board shall hold office without remuneration.

J) PERSONAL CONFLICT

- i) Personal Conflict means that the matter being voted on:
 - 1. Could monetarily affect the Board Member or an employee of the Board Member, or;
 - 2. The Board Member knows or should know that the matter could monetarily affect the Board Member's family.
- ii) A Board Member is monetarily affected by a matter if the matter monetarily affects:
 - 1. The Board Member directly;
 - 2. A corporation, other than a distributing corporation, in which the Board Member is a shareholder, director or officer;
 - 3. A distributing corporation in which the person beneficially owns voting shares carrying at least ten percent (10%) of the voting rights shares of the corporation or of which the person is a director or officer; or
 - 4. A partnership or firm of which the person is a member.
- iii) A Board Member does not have a Personal Conflict by reason of only:
 - 1. That the Board Member may have with respect to any allowance, honorarium, remuneration, or benefit to which the Board Member may be entitled to by being a Board Member;
 - 2. That the Board Member or a member of the Board Member's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown Corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the Board Member or a member of the Board Member's family is an employee;
 - 3. That a member of the Board Members family may have by having an employer, other than the Municipality, that is monetarily affected by the decision of the Board;
 - 4. That the Board Member or member of the Boards Member's family may have by being a member or director or a non-profit organization or a service club; or
 - 5. That is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Board Member.

4. MEETINGS

A) REGULAR MEETINGS

- i) Regular meetings shall be held every month unless otherwise decided by resolution of the Board, provided that a minimum of six (6) regular meetings are held each year. Meetings shall take place at a time and place so designated by the Board.
- ii) The Appeal Board appointed by Council shall handle any public appeals that arise concerning offences under the Weed Control Act, Agricultural Pests Act, and the Soil Conservation Act.

B) SPECIAL MEETINGS

- i) Special Meetings of the Board may be called by the Chairperson or any three (3) members of the Board by giving at least twenty-four (24) hours notice prior to such meetings, and stating the time, place, and date of the meeting, as well as outlining the nature of the business to be transacted.

C) NOTICE OF MEETINGS

- i) Notice for meetings of the Board will be advertised, at a minimum, on the Municipal website.

D) VOTING

- ii) All Board Members shall vote on all questions before the Board, except for Board members that abstain due to a personal conflict.
- iii) A simple majority vote of present Board members shall determine the outcome of motions. In the event of a tie vote, the motion shall be defeated.

E) QUORUM

- i) A quorum of the Board shall be the majority of members at that time, not including vacant positions.

F) STANDING COMMITTEES

- i) The Board may appoint Standing Committees from its members to perform specified functions of the Board, and the Chairperson or Board may appoint such other Special Committees consisting of members or non-members to perform such duties as may be determined for advisory purposes.

G) RECORDS/MINUTES

- i) A minute book shall be kept, and the minutes of all regular and special meetings of the Board shall be recorded therein. The meeting minutes will later be forwarded onto Alberta Agriculture and Rural Development Agriculture Service Board Program staff for review as per the Agriculture Service Board Grant agreement.

H) REPORTS TO COUNCIL

- i) The Board shall provide reports and recommendations to Council on matters such as planning, goals, annual progress reports, and substantive changes to service levels in related areas.
- ii) The Board shall provide reports and recommendations to Council on relevant issues upon Council request.

Read a first time this 21st day of January, 2014.

Carried

Read a second time this 21st day of January, 2014.

Carried

Read a third and final time, this 4th day of February, 2014.

Carried



Mayor



Chief Administrative Officer