

MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 825, 2011

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 (Pursuant to Sections 145 and 146) 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) "Council" – the Municipal Council of the Municipality of Crowsnest Pass
- b) "Board" – the Crowsnest Pass Agriculture Service Board
- c) "Municipality" – the Municipality of Crowsnest Pass
- d) "Department" – the Crowsnest Pass Culture and Recreation Department
- e) "Minister" – means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act

2. 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 and powers and to perform the 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. There will also be one (1) elected Councilor of the Municipality on the Board.
- ii) Each of the citizens at large members of the Board shall hold office for different term lengths: one (1) position for a one (1) year term, two (2) positions for a two (2) year term, and two (2) positions for a three (3) year term, and the elected Councilor shall hold office for a 1 year term. These terms will commence on November 1st of the appropriate year, except that an appointment to fill a vacancy may be made for the balance

of that term.

iii) As per the section 186 of the Municipal Government Act “if there is equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated. (1994 cM-26.1 s186)

C) DISMISSAL

i) Notwithstanding Section 2 (b) (ii), Council shall review annually the membership of the Board and may in consultation with the Board Chairman, 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 of the Chairperson and/or the Agricultural Fieldman.

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. Ceases to be a resident of the Municipality.
3. Is hired in any capacity with the Municipality; or
4. Ceases to be an elected member of Council.

F) VACANCIES

i) The Board shall, when a vacancy occurs on the Board, advertise to fill that position(s) from the community at large (with the exception of Council Members). Should the vacancy not be filled, then it shall be advertised for a second time. If the vacancy is not filled then the Board may commence direct recruitment.

ii) The outgoing Board Members are entitled to reapply.

iii) The Board shall recommend name(s) of selected candidates to Council for appointment.

G) OFFICES

i) At its first meeting in September of each year, a Chairperson and Vice-Chairperson shall be chosen by majority vote of the Board for a term of one (1) year;

ii) 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;

iii) The Vice-Chairperson shall perform the duties of the Board Chairperson in that officer's absence and such other duties as directed by the Board;

iv) Should a vacancy occur among the members of the Board, another member shall be chosen to fill that vacancy for the remainder of that term.

H) DUTIES

i) The duties of the members of the Agriculture Service Board (as per section 2 of the 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 agricultural 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 section 8(2) of the 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 section 8(3) of the *Agriculture Service Board Act*):

1. A Municipal inspector under the Weed Control Act,
2. An inspector of the Municipality under the Agricultural Pests Act, and
3. A soil conservation officer of the Municipality under the Soil Conservation Act.

iv) Clerical and minute taking assistance will be provided by the Administrative Assistant of the Municipality.

I) REMUNERATION

i) All "Citizens at Large" Board members 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.

3. MEETINGS

A) REGULAR MEETINGS AND CONFERENCES

i) Regular meetings shall be held every month unless otherwise decided by resolution of the Board, provided that a minimum of ten (10) regular meetings are held each year, at a time and place so designated by the Chairperson. Meetings will take place every third (3) Wednesday, of every month.

ii) At least one (1) Board member will attend the Southern Alberta Agriculture Service Board Committee Meetings held throughout the year.

iii) At least one (1) Board member will attend the annual Provincial Agriculture Service Board Conference (3 days long).

iv) All members of the Board will attend any member of the public's appeal meeting 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 four (4) members of the Board by giving at least twenty-four (24) hours notice prior to such meetings, stating the time, place, and date, and nature of the business to be transacted.

C) VOTING

i) All Board Members including the Chairperson shall vote on all questions before the Board, except in issues of personal conflict, and in the event of a tie vote, the motion shall be lost.

D) QUORUM

i) A quorum of the Board shall be a majority of its members at the time, but in any case not less than four (4) members of the Board.

E) STANDING COMMITTEES

i) The Board may appoint Standing Committees from among its members to perform such functions of the Board as it may determine, 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.

F) 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.

G) ANNUAL REPORT

REPORT TO COUNCIL ON:

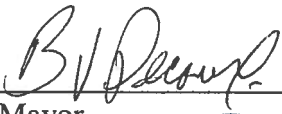
i) On an annual basis on organizational relationships, service goals, and evaluation, future plans/goals, and any other matter deemed appropriate;

ii) On any substantive change to service levels and/or long term plans.


Read a first time this 17th day of May 2011.

Read a second time this 7th day of June 2011.

Read a third and final time, this 7th day of June 2011.



Mayor



Chief Administrative Officer