

The Town of Kindersley

COUNCIL POLICY MANUAL

Updated

June 25, 2012

IMPORTANT NOTES

- 1) Any policy in this Manual may be added to, amended or deleted, by a vote of the Council at any time.
- 2) No policy should be read in isolation from the document as a whole or from the legislative framework within which the Council operates including the Town's bylaws.
- 3) The policies in this Manual express the Council's governing intent rather than its legal obligations.
- 4) The policies in this Manual are not intended to have the force of law and should any conflict between the policies in this document and relevant legislation arise at any time, relevant legislation will take precedence.
- 5) Budgets, short and long range plans, personnel practices, program design and all other administrative and programmatic decisions and activities are created by staff from these policies.

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POLICY TITLE:	ENDS	Page 1 of 1
Revised: May 25, 2009		

Pending further Council determinations, the Ends of the organization will remain as previously stated explicitly by the Council or as found implicitly in previously adopted Council documents.

An initial Ends development workshop was held on February 16th – this work will be continued over the next few months before being put for Council vote.

The Administrative Organization of the Town of Kindersley exists so that:

Citizens of Kindersley enjoy a Safe, Attractive and Sustainable Community for a Reasonable Investment

1. Citizens enjoy a **community which is free from unnecessary risk to their persons and property**
2. Citizens enjoy a **community which is attractive to themselves and others**
3. Citizens are assured that **the community’s future prosperity is being safeguarded**
4. Citizens demonstrate **civic pride.**
5. The **combined cost of taxes, user fees and levies to citizens and visitors is comparable to like-size municipalities** providing similar benefits and essential services.

POLICY TYPE:	ENDS	E.0.
POLICY TITLE:	ENDS	Page 1 of 2
Revised: May 25, 2009		

**ENDS POLICY OF THE
COMMUNITY OF KINDERSLEY, SASKATCHEWAN**

The Community of Kindersley exists so that its' citizens enjoy a safe, attractive, vibrant, sustainable and environmentally friendly community for a reasonable investment.

1. Citizens enjoy a community, which is free from unnecessary risk to their persons and property.
 - a. Persons can enjoy: indoor and outdoor activity without fear, safety in their homes, and the right to maintain and use their property without fear of loss.
 - b. Residents and visitors are reasonably protected from emergencies, natural disasters and fires.
 - c. There is more than an adequate supply of high quality drinking water to meet current and future demands.
 - d. Domestic animals are appropriately controlled and cared for.
 - e. Insects, rodents, wildlife and other pests are appropriately dealt with. *A high priority result for 2008 will be the elimination of pigeons and gophers in Kindersley.*
 - f. The environment is reasonably free from pollutants and refuse build up.
 - f.1. Good air quality is reasonably ensured.
 - f.2. there is efficient and effective disposal of solid and liquid waste.
 - f.2.1. Waste is collected and appropriately disposed of in a timely and cost effective manner. *A high priority result for 2008 is accomplishment of this END in regard to the recycle centers.*
 - f.2.2. Recycling is appropriately utilized.
 - g. Pedestrians and vehicles can move into, out of, and within Kindersley safely and efficiently. *A high priority result for 2008/2009 is the extension of Thompson Drive to Highway #7.*
 - g.1. Streets are clearly and appropriately marked.
 - g.2. Air traffic can move in and out of Kindersley safely and efficiently.

POLICY TYPE:	GOVERNANCE PROCESS	GP.0.
POLICY TITLE:	GENERAL GOVERNANCE COMMITMENT	Page 1 of 1
Revised: September 28, 2009		

The purpose of the Council, on behalf of the ratepayers of Kindersley, is to see to it that the Town of Kindersley (a) achieves appropriate results for appropriate persons at an appropriate cost and (b) avoids unacceptable actions and situations.

1. Council is the governing body of the Town of Kindersley and shall exercise the powers and carry out the duties prescribed by law and policy.
2. Council shall consist of the Mayor and 6 Councillors
3. Subject to any limitations prescribed by law, Council may delegate or assign its powers and duties, through policy, as it may be deemed advisable and in the public interest .

POLICY TYPE:	GOVERNANCE PROCESS	GP.1.
POLICY TITLE:	GOVERNING STYLE	Page 1 of 1
Revised:		

The Council will govern lawfully, observing good governance principles, with an emphasis on:

- (a) outward vision rather than an internal preoccupation,
- (b) encouragement of diversity in viewpoints,
- (c) strategic leadership more than administrative detail,
- (d) clear distinction of Council and Chief Administrative Officer roles,
- (e) collective rather than individual decisions,
- (f) future rather than past or present, and
- (g) proactivity rather than reactivity.

Accordingly:

1. The Council will cultivate a sense of group responsibility. The Council, not the staff, will be responsible for excellence in governing. The Council will be the initiator of policy, not just a reactor to staff initiatives. The Council will not use the expertise of individual members to substitute for the judgment of the Council, although the expertise of individual members may be used to enhance the understanding of the Council as a body.
2. The Council will direct, control and inspire the organization through the careful establishment of broad written policies reflecting the Council's values and perspectives. The Council's major policy focus will be on the intended long term impacts outside the staff organization, not on the administrative means of attaining those effects.
3. The Council will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as adherence to legislation and bylaws, attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuance of governance capability. Although the Council can change its Governance Process policies at any time, it will observe them scrupulously while in force.
4. Continual Council development will include orientation of new Council members to the Council's operation and the Policy Governance approach using qualified support.
5. The Council will allow no officer, individual or committee of the Council to hinder or be an excuse for not fulfilling its commitments.
6. The Council will monitor and discuss the Council's process and performance at each meeting and will review its overall performance annually. Such evaluation will compare Council activity and discipline to policies in the Governance Process and Council-Chief Administrative Officer Delegation categories.

POLICY TYPE:	GOVERNANCE PROCESS	GP.2.
POLICY TITLE:	COUNCIL JOB DESCRIPTION	Page 1 of 1
Revised:		

The Council, as an informed agent of the ratepayers of Kindersley, is specifically accountable for producing assurance of appropriate organizational performance.

Accordingly, the Council has direct responsibility to create:

1. The linkage between the ratepayers of Kindersley and the operational organization.
2. Written governing policies which address the broadest levels of all organizational decisions and situations.
 - A. Ends: What benefit, for which people at what cost or relative worth.
 - B. Chief Administrative Officer Limitations: Constraints on administrative authority which establish the prudence and ethics boundaries within which all administrative activity and decisions must take place.
 - C. Governance Process: Specification of how the Council conceives, carries out and monitors its own task.
 - D. Council-Chief Administrative Officer Delegation: How power is delegated and its proper use monitored; the Chief Administrative Officer's role, authority and accountability.
3. Assurance of successful organizational performance as defined in Ends and Chief Administrative Officer Limitations.
4. Regulation of the community through Municipal Codes and Bylaws
5. Determination of the Mill Rates and other user fees and charges for services based upon receipt of:
 - a) recommendations from the Chief Administrative Officer which accord with a reasonable interpretation of the Council's Ends and Chief Administrative Officer Limitations policies
 - b) information from the Chief Administrative Officer regarding input from any relevant advisory committees
6. Advocating public policy that supports the fulfillment of the Council's Ends.

POLICY TYPE:	GOVERNANCE PROCESS	GP.3.
POLICY TITLE:	AGENDA PLANNING and MEETINGS	Page 1 of 2
Revised: December 18, 2006; September 28, 2009		

To accomplish its job consistent with Council policies, the Council will follow an annual agenda and hold regular Council meetings, which (a) reviews Ends policies annually and (b) continually improves Council performance through Council education and evaluation.

1. The cycle will conclude each year on the last day of October so that administrative planning and budgeting can be based on accomplishing a one year segment of the Council's most recent statement of long term Ends.
2. The cycle will start with the Council's development of its agenda for the next year.
 - A. Consultations with selected ratepayer groups, or other methods of gaining ratepayer input will be determined and arranged in the first quarter to take place as appropriate during the year.
 - B. Governance education, and education related to Ends determination, (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.) will be arranged in the first quarter, to be held during the balance of the year.
3. Throughout the year, the Council will attend to items which have been delegated to the Chief Administrative Officer yet are required by law or contract to be Council-approved as expeditiously as possible by placing them on a Consent Agenda. This agenda will be moved as a whole subject to monitoring assurances regarding all relevant Council policies. Items may be moved from the consent agenda to the discussion agenda at the request of two Council members.
4. A Council member may recommend or request an item for Council discussion at any time, however this should normally be by submitting the item to the Chief Administrative Officer no later than two working days before the meeting.
5. Chief Administrative Officer monitoring reports will be included on Staff/Council Relationships. Chief Administrative Officer monitoring will occur in Committee of the Whole. Councillors will fill out the internal monitoring report work sheets and return them to the Mayor or Deputy Mayor within 10 days of receiving the Internal Monitoring Report. The Internal Monitoring report will then be placed on the Committee of the Whole Agenda for the next Council meeting for discussion and decision.

6. Chief Administrative Officer remuneration will be decided by Council following an evaluation based on a review of monitoring reports received in the last year, together with information from UMAAS, during the month of November.
7. Annual Council evaluation, based on a review of Council activity and discipline in comparison to policies in the Governance Process and Council-Chief Administrative Officer Delegation categories, will take place in the last quarter of the year .
8. All regular meetings of Council shall be held on the fourth Monday of each month, in the Council Chambers Office commencing at 7:15 p.m. unless it is a Statutory or Public holiday in which case the meeting will be held on the day following the holiday.
9. A special meeting of Council may be called by the Mayor or by a written request from the majority of Councillors.
10. Council may by resolution close all or part of a meeting if a matter to be discussed is one of the exemptions listed in Authority Freedom of information and Protection of Privacy Act or a matter related to long term or Ends planning.
11. Council working sessions meetings will be closed to the public. They will be sessions related to strategic direction planning and Ends development or CAO monitoring through Council's governance process.

POLICY TYPE:	GOVERNANCE PROCESS	GP.4.
POLICY TITLE:	MAYOR'S ROLE	Page 1 of 2
Revised: September 28, 2009		

The Mayor, acts as Chair or Chief Governance Officer of the Council and as such is a specially empowered member of the Council who assures the integrity of the Council's process and, secondarily, represents the Council to outside parties.

Accordingly:

1. The assigned result of the Mayor's job is that the Council behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
 - A. Meeting discussion content will be on those issues which, according to Council policy, clearly belong to the Council to decide or to monitor.
 - B. Information which is for neither monitoring performance nor Council decisions will be avoided or minimized and always noted as such.
 - C. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.

2. The authority of the Mayor consists in making decisions that fall within topics covered by Council policies on Governance Process and Council-Chief Administrative Officer Delegation, with the exception of (a) employment or termination of a Chief Administrative Officer and (b) where the Council specifically delegates portions of this authority to others. The Mayor is authorised to use any reasonable interpretation of the provisions in these policies.
 - A. The Mayor will preside over Council meetings with all the commonly accepted power of that position, such as ruling and recognizing and will use Robert's Rules of Order, as interpreted in the book written by J. Jeffery Auer, Essentials of Parliamentary Procedure, as a guide.
 - B. The Mayor has no authority to make decisions about policies created by the Council within Ends and Administrator Limitations policy areas. Therefore, the Mayor has no authority to supervise or direct the Administrator.

- C. The Mayor may represent the Council to outside parties in announcing Council-stated positions and in stating mayor decisions and interpretations within the area delegated to her or him.
 - D. The Mayor is an ex-officio member of all committees and bodies established by Council pursuant to the Municipalities Act, unless Council provides otherwise.
 - E. The Mayor may delegate this authority, but remains accountable for its use.
3. The Mayor is responsible for the creation and maintenance of the CAO employee file which shall contain:
- CAO Resume
 - CAO annual evaluations based on policy compliance and monitoring reports
 - CAO signed contract
 - Correspondence between the Council and CAO
4. The Deputy Mayor acts in the absence of the Mayor with all the authority accorded under this policy and the Municipalities Act.

POLICY TYPE:	GOVERNANCE PROCESS	GP.5.
POLICY TITLE:	COUNCIL MEMBERS' CODE OF CONDUCT	Page 1 of 2
Revised:		

The Council commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Council members.

1. Members must have loyalty to the ownership, unconflicted by loyalties to staff, other organizations, and any personal interest as a client.
2. Members must avoid conflict of interest with respect to their fiduciary responsibility.
 - A. There will be no self-dealing or business by a member with the organization. Members will annually disclose their involvements with other organizations, with vendors, or any associations which might be or might reasonably be seen as being a conflict.
 - B. When the Council is to decide upon an issue, about which a member has an unavoidable conflict of interest, that member shall absent herself or himself without comment from not only the vote, but also from the deliberation.
 - C. Council members will not use their Council position to obtain employment in the organization for themselves, family members, or close associates. Should a Council member apply for employment, he or she must first resign from the Council.
3. Council members may not attempt to exercise individual authority over the organization.
 - A. Members' interaction with the Chief Administrative Officer or with staff must recognize the lack of authority vested in individuals except when explicitly Council authorized.
 - B. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any Council member to speak for the Council except to repeat explicitly stated Council decisions.
 - C. Except for participation in Council deliberation about whether reasonable interpretation of Council policy has been achieved by the Chief Administrative Officer, members will not express individual judgments of performance of employees of the Chief Administrative Officer.

4. Members will respect the confidentiality appropriate to issues of a sensitive nature.
5. Members will be properly prepared for Council deliberation.
6. Members will support the legitimacy and authority of the final determination of the Council on any matter, irrespective of the member's personal position on the issue.

POLICY TYPE:	GOVERNANCE PROCESS	GP.6.
POLICY TITLE:	COMMITTEE INVOLVEMENT	Page 1 of 3
Revised: January 29, 2007, February 26, 2007, October 9, 2007; September 28, 2009; <i>December 14, 2009</i>		

Council Committees, *Boards and Commissions*

Council committees are to help the Council do its job, not to help or advise the staff. A committee is only a committee of the Council if its existence and charge come from the Council, regardless whether Council members sit on the committee. Council committees, when used, will have a defined mandate and be assigned so as to reinforce the wholeness of the Council's job and so as never to interfere with delegation from Council to the Chief Administrative Officer.

1. Council may, by bylaw or resolution, establish any committee or board that it considers desirable for the purpose of providing advice and recommendations to members of Council.
2. Council shall, by bylaw or resolution, set out the constitution, duties, powers and functions of any committee, board or commission.
3. All committees, boards or commissions shall be subject to the requirements of The Municipalities Act and Council policy.
4. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.
5. The only standing Council committees are the governance liaison committees which include:
 - a. EMO Control Committee
 - b. Municipal Planning Commission
 - c. RM Liaison Committee
6. Councillors also sit on committees created by other bodies. The Council will seek to be directly represented (rather than through Administration) on committees that are engaged in regional governance liaison. These committees are:
 - a. Kindersley Local Library
 - b. Kindersley Regional Park Authority
 - c. Kindersley & District Plains Museum

- d. Meridian Community Futures Development Corporation
 - e. Water West Pipeline Co-operative
 - f. West Central Municipal Government Committee
 - g. West Central Enterprise Region (WCER)
 - h. Wheatland Regional Library
 - i. Kindersley Veterinary Service District Board**
7. In some cases, Council jointly creates governing bodies in conjunction with other authorities. In turn, it appoints members from within its own ranks to these bodies. If either representative withdraws from the committee, it ceases to exist. These committees include:
- a. District Planning Commission
 - b. E.K. Water Administration Board
8. Councillors appointed to any of the above committees covered by this policy are expected to use these committees to help Council to do its job as defined in GP2 'Council Job Description' and to refer all other matters to the Chief Administrative Officer to be dealt with within the terms of the Council's policy AL1 "Treatment of Customers".
9. This policy does not apply to committees formed under the authority of the Chief Administrative Officer. Council members may sit on other committees at the Chief Administrative Officer's request but those Committees will be accountable to the Chief Administrative Officer. These committees include:
- a. Kindersley Regional Airport Board
 - b. Arts, Culture & Heritage Advisory Committee
 - c. Cemetery Committee
 - d. Communities in Bloom
 - e. EMO Planning Committee
 - f. Recreation Advisory Committee
- Council must approve the mandates of all CAO Committees, however, these committees are accountable to the CAO.
10. Boards established through Legislation and appointed by Council are independent of Council, but must be appointed by Council. Mandates for these boards are defined by legislation, and include:
- a. Board of Revision (The Municipalities Act)
 - b. Development Appeals Board (The Planning and Development Act, 2007)
11. Council shall at its final meeting of each year (December), appoint by resolution the Members of Committees, Boards or Commissions consisting of such Member or Members as Council shall determine or which have been recommended by partner organizations (user groups, RMs, etc). Notification shall be sent to all Committee members regarding their appointments by

December 31st of each year.

12. Attachments to this policy (see Council Policy Manual APPENDICES)

- a. APPENDIX “1” - Annual Council appointments, Council committees, Council representatives and Administrator (CAO) committees
- b. APPENDIX “2” – Current existing mandates for all committees, boards and commissions appointed by Council

POLICY TYPE:	GOVERNANCE PROCESS	GP.7.
POLICY TITLE:	OWNERSHIP LINKAGE	Page 1 of 1
Revised: September 28, 2009		

Council linkage between itself and its stakeholders is key to: accountability, creation of the future plans on their behalf and articulation of the values that form the foundation of that plan.

1. Council will gather information in a way that reflects the diversity of ownership. Council recognizes that diversity contributes to a broad base of information and shall seek to make decisions considering that input.
2. The Council's annual program of ownership linkage will include public meetings on Ends topics, as well as occasional use of questionnaires, focus groups, one-to-one interviews and community advisory committees
3. Delegations before Council: all individuals or groups that wish to have an audience with the Town Council shall make their written request at least five calendar days prior to the Council meeting date with the reasons for the request . Time limits and meeting date will be determined in advance with the presenting party and will be noted on the agenda. Delegations will be provided with guidelines for an audience with Council.

POLICY TYPE:	GOVERNANCE PROCESS	GP.8.
POLICY TITLE:	GOVERNANCE INVESTMENT	Page 1 of 1
Revised: September 28, 2009		

Because poor governance costs more than learning to govern well, the Council will invest in its governance capacity.

Accordingly:

1. Council skills, methods, and supports will be sufficient to assure governing with excellence.
 - A. Candidates for Council elections shall be provided with information that outlines the role of Council and the expectations of Council members.
 1. Training and retraining will be used liberally in the orientation of new members, as well as to maintain and increase existing member skills and understandings.
 2. New council members shall receive a complete orientation to ensure familiarity with Policy Governance and key organizational systems and challenges. This orientation will be held in the first month after the election.
 - B. Outside monitoring assistance may be arranged so that the Council can exercise confident control over organizational performance. This will include, but is not limited to, financial audits.
 - C. A variety of opportunities for public involvement will be created to ensure the Council's ability to listen to ratepayers' viewpoints and values.
2. Each Council member shall complete a self appraisal annually and identify specific areas in which education is desired.
3. The Council will establish its budget for governance for the next financial year by the end of November in each year.

POLICY TYPE:	GOVERNANCE PROCESS	GP.9.
POLICY TITLE:	EXTERNAL AUDITOR	Page 1 of 1
Approved: February 19, 2009 Revised: September 28, 2009		

Council will appoint the external audit firm each year in November to conduct the audit the following year.

The auditor will meet with Council to provide an external monitoring report at the working session in January of each year.

The management letter will be discussed with Council in May of each year.

1. The audit opinion shall include, but is not limited to:
 - 1.1 The financial statements and presentation
 - 1.2 The system of internal controls
 - 1.3 Compliance with legislative and related authorities
 - 1.4 Significant estimates made by management
 - 1.5 Monitoring reports of Executive Limitations

2. The auditor shall provide recommendations for any corrective actions that may be required for:
 - 2.1 Safeguarding assets
 - 2.2 Investment activities
 - 2.3 Borrowing or spending activities
 - 2.4 Internal controls or any other matter of importance

3. All correspondence from the auditor will be addressed to Council. Council will forward any management letters to the CAO.

POLICY TYPE:	GOVERNANCE PROCESS	GP.10.
POLICY TITLE:	COUNCIL/MAYOR REMUNERATION	Page 1 of 1
Approved: May 25, 2009 Revised: <i>December 14, 2009</i>		

The Mayor and councilors will receive fair remuneration in relationship to Kindersley governance and ratepayer's duties, responsibilities and accountabilities.

1. Council shall conduct a remuneration review every three years in advance of the municipal election for implementation after each municipal election.
2. Out of Town per diem rate - \$145; Half day rate - \$75.
3. Meals, hotel, taxi and parking will be reimbursed as per receipts submitted with a signed expense claim form.
4. Mileage will be paid according to the provincial Public Service Commission rate.
5. All expense claims must be approved prior to payment.
 - ***Mayor and Councillors – approved and signed by two other members of Council***
6. Administration will ensure the preparation of a expense summary of the Mayor and Councilors to be included in Council meeting package on a quarterly basis.

POLICY TYPE:	COUNCIL – CHIEF ADMINISTRATIVE OFFICER DELEGATION	CAD.0.
POLICY TITLE:	GENERAL COUNCIL MANAGEMENT CONNECTION	Page 1 of 1
Revised: October 20, 2008		

The Council's sole official connection to the operational organization, its achievements and conduct will be through a Chief Administrative Officer, titled *Administrator* in The Municipalities Act.

POLICY TYPE:	COUNCIL-CHIEF ADMINISTRATIVE OFFICER DELEGATION	CAD.1.
POLICY TITLE:	UNITY OF CONTROL	Page 1 of 1
Revised:		

Only officially passed motions of the Council are binding on the Chief Administrative Officer.

Accordingly:

1. Decisions or instructions of individual Council members, officers, or committees are not binding on the Chief Administrative Officer except in rare instances when the Council has specifically authorised such exercise of authority.
2. In the case of Council members or committees requesting information or assistance without Council authorisation, the Chief Administrative Officer may refuse such requests that require, in the Chief Administrative Officer's opinion, a material amount of staff time or funds or is disruptive.

POLICY TYPE:	COUNCIL-CHIEF ADMINISTRATIVE OFFICER DELEGATION	CAD.2.
POLICY TITLE:	ACCOUNTABILITY OF THE CHIEF ADMINISTRATIVE OFFICER	Page 1 of 1
Revised:		

The Chief Administrative Officer is the Council’s only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the Council is concerned, is considered the authority and accountability of the Chief Administrative Officer.

Accordingly:

1. The Council will never give instructions to persons who report directly or indirectly to the Chief Administrative Officer.
2. The Council will not evaluate, either formally or informally, any staff other than the Chief Administrative Officer.
3. The Council will view Chief Administrative Officer performance as identical to organizational performance, so that organizational accomplishment of Council stated ends and avoidance of Council proscribed means will be viewed as successful Chief Administrative Officer performance.

POLICY TYPE:	COUNCIL – CHIEF ADMINISTRATIVE OFFICER DELEGATION	CAD.3.
POLICY TITLE:	DELEGATION TO THE CHIEF ADMINISTRATIVE OFFICER	Page 1 of 1
Revised: October 20, 2008		

The Council will instruct the Chief Administrative Officer through written policies which prescribe the organizational ends to be achieved, and describe organizational situations and actions to be avoided, allowing the Chief Administrative Officer to use any reasonable interpretation of these policies.

Accordingly:

1. The Council will develop policies instructing the Chief Administrative Officer to achieve specified results, for specified recipients at a specified cost. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies.
2. The Council will develop policies which limit the latitude the Chief Administrative Officer may exercise in choosing the organizational means. These policies will be developed systematically from the broadest, most general level to more defined levels, and they will be called Chief Administrative Officer Limitations policies.
3. As long as the Chief Administrative Officer uses *any reasonable interpretation* of the Council's Ends and Chief Administrative Officer Limitations policies, the Chief Administrative Officer is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities, including delegation of any of his/her powers, duties or functions to another employee. Such decisions of the Chief Administrative Officer shall have full force and authority as if decided by the Council.
4. The Council may change its Ends and Chief Administrative Officer Limitations policies, thereby shifting the boundary between Council and Chief Administrative Officer domains. By doing so, the Council changes the latitude of choice given to the Chief Administrative Officer. But as long as any particular delegation is in place, the Council will respect and support the Chief Administrative Officer's choices.

POLICY TYPE:	COUNCIL-CHIEF ADMINISTRATIVE OFFICER DELEGATION	CAD.4.
POLICY TITLE:	MONITORING CHIEF ADMINISTRATIVE OFFICER PERFORMANCE	Page 1 of 1
Revised: June 25, 2012		

Systematic and rigorous monitoring of Chief Administrative Officer job performance will be solely against the only expected Chief Administrative Officer job outputs: organizational accomplishment of Council policies on Ends and organizational operation within the boundaries established in Council policies on Chief Administrative Officer Limitations.

Accordingly:

1. Monitoring is simply to determine the degree to which Council policies are being met. Data which do not do this will not be considered to be monitoring information.
2. The Council will acquire monitoring information by one or more of three methods: (a) by internal report, in which the Chief Administrative Officer discloses interpretations and information to the Council, (b) by external report, in which an external, disinterested third party selected by the Council assesses compliance with Council policies, and (c) by direct Council inspection, in which a designated member or members of the Council assess compliance with the appropriate policy criteria.
3. In every case, the standard shall be *any reasonable Chief Administrative Officer interpretation* of the Council policy being monitored. The Council is final arbiter of reasonableness, but will always judge with a “reasonable person” test rather than with interpretations favored by Council members or by the Council as a whole.
4. All policies which instruct the Chief Administrative Officer will be monitored at a frequency and by a method chosen by the Council. The Council can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule.

POLICY TYPE:	COUNCIL-CHIEF ADMINISTRATIVE OFFICER DELEGATION	CAD.5.
POLICY TITLE:	REIMBURSEMENT OF CAO EXPENSE CLAIMS	Page 1 of 1
Approved: May 25, 2009 Revised: June 25, 2012		

The purpose of this policy is to ensure the CAO can receive reimbursement of reasonable expenses and be provided with necessary provisions in the performance of his/her role.

The CAO's expenses will be reimbursed in accordance with the following procedures:

1. All expenses claims will be submitted to the Finance Officer and/or Assistant Administrator, and original receipts must be submitted with claim.
2. The Mayor/Deputy Mayor and a Councillor will confirm with their signature , compliance of the expenses in accordance with the terms of the CAO's contract and staff travel and expense claim policy.
3. The Finance Officer will prepare on quarterly basis a CAO expense summary to be included in the Council meeting package.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.0.
POLICY TITLE:	GENERAL ADMINISTRATIVE CONSTRAINT	Page 1 of 1
Revised:		

The Chief Administrative Officer shall not cause or allow any practice, activity, decision, or organizational circumstance which is either unlawful, in breach of the Town's bylaws, imprudent or in violation of commonly accepted business and professional ethics and practices.

1. Endanger the organization's public image or credibility.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.1.
POLICY TITLE:	TREATMENT OF CUSTOMERS	Page 1 of 1
Revised: December 18, 2006; <i>December 14, 2009</i>		

With respect to interactions with ratepayers as customers of Town services, the Chief Administrative Officer shall not fail to operate without written policies and procedures and shall not cause or allow conditions, procedures, or decisions which are unsafe, undignified, or unnecessarily intrusive.

Further, without limiting the scope of the foregoing by this enumeration, the Chief Administrative Officer shall not:

1. Fail to respond to customer queries and issues in a timely and open manner.
2. Fail to establish and maintain a complaints procedure
3. Fail to establish and maintain a process by which community members may raise issues/ proposals with the Town which includes:
 - a) Full discovery of the nature of the issue/proposal
 - b) Satisfactory resolution by staff whenever possible
 - c) Ability for community member to present the issue/proposal to a Council meeting if A. or B. have not resolved the matter with a report from the Chief Administrative Officer identifying whether the issue/proposal involves a potential change to Council policy.
4. Use application forms that elicit information for which there is no clear necessity.
5. Use methods of collecting, reviewing, transmitting, or storing personal information that fail to protect against improper access to the material elicited.
6. Fail to operate facilities with appropriate accessibility and privacy.
7. Fail to establish with customers a clear understanding of what may be expected and what may not be expected from the service offered.
8. Fail to inform customers of this policy.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.2.
POLICY TITLE:	TREATMENT OF STAFF	Page 1 of 1
Revised: January 29, 2007; January 12, 2009		

With respect to the treatment of paid and volunteer staff, the Chief Administrative Officer shall not cause or allow conditions which are unfair, undignified, disorganized, unclear or in contravention of legislated employment standards.

Further, without limiting the scope of the foregoing by this enumeration, the Chief Administrative Officer shall not:

1. Fail to develop and implement written human resource policies and procedures which at minimum are consistent with stated Council values, clarify expectation and working conditions for staff and provide for effective handling of grievances.
 - 1.1. Fail to ensure policies and procedures are in place to prevent staff from exposure to harassment.
 - 1.2. Fail to ensure that staff are informed of the performance standards by which they will be assessed.
2. Allow discrimination against any staff member who reports unethical behavior.
3. Fail to ensure that there is an effective staff education and development process in place.
4. Fail to establish and maintain a work environment that fosters teamwork, communication, efficiency, effectiveness and preparedness in dealing with emergency situations.
5. Prevent staff from appealing to the Council in writing when: (a) internal grievance procedures have been exhausted, and (b) the employee alleges either that Council policy has been violated to the employee's detriment, or that Council policy does not adequately protect the employee's legislated human rights.
6. Fail to acquaint staff with the Chief Administrative Officer's interpretation of their protections under this policy.
7. Fail to develop and foster means of employee recognition to ensure talents and skills brought to the workplace are recognized and rewarded.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.3.
POLICY TITLE:	FINANCIAL CONDITION AND ACTIVITIES	Page 1 of 2
Revised: January 14, 2008; February 11, 2008; July 28, 2008; May 25, 2009; December 14, 2009, June 25, 2012		

With respect to the actual, ongoing financial condition and activities, the Chief Administrative Officer shall not cause or allow the development of financial jeopardy or a material deviation of actual expenditures from Council priorities established in Ends policies.

Further, without limiting the scope of the foregoing by this enumeration, the Chief Administrative Officer shall not:

1. Expend more funds than have been received in the fiscal year.
2. ***Shift funds within the organization in an amount greater than can be repaid by certain otherwise unencumbered revenues within 30 days.***
3. ***Withhold controllable expenditures to avoid overspending of funds.***
4. Fail to settle payroll and outstanding debts or allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.
5. Make a single purchase **over** \$10,000, with 1% of operating budget as a ceiling for the fiscal year.
6. Sell, dispose of, or encumber real estate outside of Council stated policy.
7. Fail to aggressively pursue receivables after a reasonable grace period.
8. Change mill rates and mill rate factors and other user fees and charges for services.
9. Permit cheques to be signed by less than two bonded persons, one being the Chief Administrative Officer (or the CAO's designate) or the Acting Chief Administrative Officer/Administrator; AND countersigned by at least one any one of the following individuals permitted to have signing authority:
 - 9.1. Deputy Administrator
 - 9.2. Director, Financial & Business Planning
 - 9.3. Director, Corporate Services

9.4. Mayor and/or Councillors

10. Permit agreements to be signed on behalf of the Town of Kindersley by other than the following persons: The Mayor, or in his absence, the Deputy Mayor AND the Chief Administrative Officer (CAO) or the CAO's designate.
11. Fail to research applicable grant options and submit applications in a timely manner.
12. Fail to follow process as set out in Policy CAD.5 for reimbursement of CAO expenses.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.4.
POLICY TITLE:	FINANCIAL PLANNING AND BUDGETING	Page 1 of 1
Revised: May 12, 2008; January 12, 2009; September 28, 2009; December 14, 2009		

The Chief Administrative Officer shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year to deviate materially from Council's Ends priorities, risk financial jeopardy, or fail to be derived from a five year plan.

Further, there will be no financial plans that:

1. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.
2. Provide less for Council's **annual governance activities** during the year than is set forth in the "Governance Investment" policy (GP.8).

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.5.
POLICY TITLE:	EMERGENCY CHIEF ADMINISTRATIVE OFFICER SUCCESSION	Page 1 of 1
Revised: December 17, 2007; <i>December 14, 2009</i>		

To protect the Council from sudden loss of Chief Administrative Officer services, the Chief Administrative Officer shall have no fewer than one other **administrative staff** familiar with Council and Chief Administrative Officer issues and processes **who is able to** enable either to take over with reasonable proficiency as an interim successor.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.6.
POLICY TITLE:	ASSET PROTECTION	Page 1 of 1
Revised: September 10 & 24, 2007; December 14, 2009		

The Chief Administrative Officer shall not allow corporate assets to be unprotected, inadequately maintained or unnecessarily risked.

Further, without limiting the scope of the foregoing by this enumeration, the Chief Administrative Officer shall not:

1. Fail to adequately insure against theft and casualty losses in an amount greater than the average for comparable ***municipalities***.
2. Fail to adequately insure against liability losses to Council members, staff and the organization itself in an amount greater than the average for comparable ***municipalities***.
3. Allow unbonded personnel access to material amounts of funds.
4. Subject plant and equipment to improper wear and tear or insufficient maintenance.
5. Fail to employ risk management practices to minimize the exposure of the organization, its Council or staff to claims of liability.
6. Fail to ensure that the Organization operates with a written purchasing policy that includes protection against conflict of interest and values comparative pricing and tendering strategies.
7. Fail to protect intellectual property, information and files from loss or significant damage.
8. Fail to upgrade technology systems as required for maintaining organizational efficiency.
9. Receive, process or disburse funds under controls which are insufficient to meet the Council-appointed auditor's standards.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.7.
POLICY TITLE:	COMPENSATION AND BENEFITS	Page 1 of 1
Revised: January 29, 2007; March 31, 2008; May 12, 2008; <i>December 14, 2009</i>		

With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the Chief Administrative Officer shall not cause or allow jeopardy to financial integrity or to public image.

Further, without limiting the scope of the foregoing by this enumeration, the Chief Administrative Officer shall not:

1. Change his or her own compensation and benefits without Council approval.
2. Establish current compensation and benefits which deviate materially from the Saskatchewan Municipal Sector or professional market for the skills employed.
3. Establish or change other benefits so as to cause unpredictable or ***unfair*** situations.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.8.
POLICY TITLE:	COMMUNITY INVOLVEMENT	Page 1 of 2
Revised: February 26, 2007; December 17, 2007; September 28, 2009		

The Chief Administrative Officer shall not fail to ensure that the Town engages with the community in a cost-effective manner in fulfillment of the Council's Ends policies.

- a. The Chief Administrative Officer shall not fail to engage users of services in the design and implementation of those services
- b. The Chief Administrative Officer shall not fail to provide appropriate leadership in key areas of town development
- c. The Chief Administrative Officer shall not disband any existing committee* without Council approval
- d. The Chief Administrative Officer shall not fail to invite Council to provide a member to sit on every community committee
- e. The Chief Administrative Officer shall not fail to create a defined mandate for every committee
- f. The Chief Administrative Officer shall not fail to remind committees that minutes should be provided in a timely manner
- g. The Chief Administrative Officer shall not fail to give a hearing to members of the community who wish to give input on Town matters in accordance with Council Policy on 'Treatment of Customers'.
- h. The CAO shall not fail, annually in the fall of each year, or on such other basis as may be required by Council, to prepare and advertise a list of all committees, boards and commissions of Council, for which there are openings and to which members of the public may be appointed, and publicly call for the names of persons interested in being appointed to such boards or committees.

* Existing community committees as of September 2009 are:

- Kindersley Regional Airport Board
- Arts, Culture & Heritage Advisory Committee
- Cemetery Committee
- Communities in Bloom
- EMO Planning Committee
- Recreation Advisory Committee

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.9.
POLICY TITLE:	COMMUNICATION AND SUPPORT TO THE COUNCIL	Page 1 of 2
Revised: <i>December 14, 2009</i> <i>June 25, 2012</i>		

The Chief Administrative Officer shall not permit the Council to be uninformed or unsupported in its work.

Further, without limiting the scope of the foregoing by this enumeration, the Chief Administrative Officer shall not:

1. Neglect to submit data required by the Council (see policy on Monitoring Chief Administrative Officer Performance) in a timely, accurate and understandable fashion, directly addressing provisions of Council policies being monitored.
2. Neglect to submit unbiased decision information required periodically by the Council or let the Council be unaware of relevant trends.
3. Let the Council be unaware of any significant incidental information it requires including community committee agendas and minutes, anticipated media coverage, threatened or pending lawsuits, material external and internal changes, correspondence directed to the Council dealt with by staff in accordance with Council's policies.
4. Fail to advise the Council if, in the Chief Administrative Officer's opinion, the Council is not in compliance with its own policies on Governance Process and Council-Administration delegation, particularly in the case of Council behavior which is detrimental to the work relationship between the Council and the Chief Administrative Officer.
5. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate information decision preparation.
6. Fail to provide a workable mechanism for official Council, officer or committee communications.
7. Fail, when addressing official business, to deal with the Council as a whole except

when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Council.

8. Fail to supply for the Council's Consent Agenda, along with applicable monitoring information, all decisions delegated to the Chief Administrative Officer yet required by law, regulation or contract to be Council-approved.
9. Fail to prepare any new bylaws **or** bylaw amendments proposed by Council for consideration by the Council.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.10.
POLICY TITLE:	POINT OF CONTACT	Page 1 of 1
Revised: January 29, 2007; February 11, 2008		

Kindersley is an inviting place to do business.

Accordingly the Chief Administrative Officer shall not:

1. Fail to facilitate healthy and meaningful two-way communication and understanding between the Town and the local business community.
 - 1.1. Fail to acquaint the business community with Town operations, processes and practices.
 - 1.2. Fail to prepare and distribute information relevant to business.
 - 1.3. Fail to utilize technology to help the Town be more accessible to business.

2. Fail to provide a business support person that will be the point of contact to respond to the needs of local and new business/industry.
 - 2.1. Fail to streamline Town processes/services affecting the business community.

3. Fail to maintain a collaborative working relationship with local, regional, provincial and national economic development agencies.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.11.
POLICY TITLE:	TOWN PROCEDURES AND PROGRAMS	Page 1 of 1
Revised: January 29, 2007; <i>December 14, 2009</i>		

The Town will strive to provide programs and services in a coordinated, appropriate, accessible and affordable manner. With respect to providing programs and services to the citizens of Kindersley, the Chief Administrative Officer shall not:

1. Plan programs and / or services inconsistent with the Town's Ends Policies.
2. Operate without an operational strategic plan that includes a participatory approach including the public and employees in planning and evaluation.
3. Allow programs and services to operate without qualified personnel.
4. Allow changes in services or programs that are anticipated to have a major impact on the community without Council approval.

POLICY TYPE:	CHIEF ADMINISTRATIVE OFFICER LIMITATIONS	AL.12.
POLICY TITLE:	GREEN SPACE DEVELOPMENT & PROTECTION	Page 1 of 2
Approved: September 28, 2009 Revised: <i>December 14, 2009</i>		

Open spaces benefit citizens in many ways. Council will strive to safeguard and enhance Kindersley's green space, which will contribute to the wider objectives of sustainable community development.

The definition of Green Space is land or water areas that are not covered by structures. Accordingly the CAO shall not:

1. Fail to protect green space from inappropriate development that would erode the benefits it provides.
2. **Allow** for a reduction of green space property available to the public. The specified property is as follows:
 - Ball diamonds : Berard Field, Flanagan Field, Water treatment Diamond, Kindersley Inn Diamonds
 - Neighbourhood parks: Kinsmen Park, McGowan Park, Elks Park – Queen Drive, O'Connar Cres. Park, Rutley Crescent Park, Jurassic Park (located across from the golf course & behind the Water Treatment Plant), Baker Park
 - Mother Well Reservoir: Community Walking Trail.
 - Kindersley Regional Park: Camping, Park area, golf course & Ball Diamonds.
 - Other Green Space: Intersection Highway 7 & 21 (green space and Picnic area, Old Water Tower Site
 - Town Owned Facilities with green space: Skate Board Park & Tennis Court, Aquatic Centre – building is surrounded by green space. Picnic area was added and has a large open grass area, Fire Hall – Large green space in front of building, Town Office – Surrounded by green space.
 - Kindersley Soccer and Football Field

3. Fail to place a high priority on planning for green space during any future development or expansion of Kindersley.

Notes:

APPENDICES

to

Council Policy Manual

APPENDICES:

1. APPENDIX 1: Council & Committee Procedure

- Replaces the following repealed Town of Kindersley bylaws:
 - Bylaw 29-91, A Bylaw to Regulate the Proceedings of Council & Committees of Council of the Town of Kindersley

AND

- Bylaw 15-95, a Bylaw to Amend Bylaw no. 28-91, Being a Bylaw to Regulate the Proceedings of the Council and Committees of Council of the Town of Kindersley

2. APPENDIX 2: Committees, Boards & Commissions – Appointment Terms and Mandates

- See Policy GP.6

APPENDIX 1: COUNCIL & COMMITTEE PROCEDURE

RULES GOVERNING THE PROCEEDINGS OF COUNCIL AND ANY COMMITTEES ESTABLISHED BY COUNCIL FOR THE ADMINISTRATION OF THE BUSINESS OF COUNCIL

WHEREAS it is deemed expedient and in the public interest to regulate and govern the proceedings and business of Council in the manner set forth herein, the Council of the Town of Kindersley hereby endorses this procedure;

PART I - INTERPRETATION

1. Short Title

- a. This Appendix shall be entitled Council and Committee Procedure

2. Purpose and Scope

2.1. The purpose of this information is to provide for the orderly conduct of the business of Council and for the proceedings of any committees established by Council for the better administration of the Town.

2.2. The information applies to all proceedings of Council and any board or committee established by Council except where, by Bylaw or Policy, Council has established procedures to the contrary for a specific board or committee.

3. Definitions

In this Policy and in any schedules attached hereto, the following words and terms shall have the following meanings unless there is something in the subject matter inconsistent therewith:

- 3.1. **'Act'** means The Municipalities Act
- 3.2. **'Amendment'** means an alteration of a main motion or an amendment by substituting, adding or deleting a word(s) without altering the basic intent of the motion.
- 3.3. **'Chief Administrative Officer'** (hereafter, CAO) means the Administrator of the municipality and includes any duly authorized representative or designate of such person;
- 3.4. **'CAO/Council Secretary'** means the secretary to the CAO and Council
- 3.5. **'Committee of the Whole'** means members present at a meeting of Council sitting in committee.
- 3.6. **'Councillor'** means the Mayor or a Councillor;
- 3.7. **'Deputy Mayor'** means the Councillor appointed, from time to time, as the Deputy Mayor pursuant to section 7 of this Policy;
- 3.8. **'Elected'** means the person or persons elected, from time to time, to public office in accordance with *The Local Government Elections Act*;
- 3.9. **'Mayor'** means the elected Mayor of the Town of Kindersley;

- 3.10. **‘Member of Council’** means the Mayor or a Councillor
- 3.1.1. **‘Motion to Receive’** means a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration, and having the item, report or recommendation placed in the records of the municipality for future reference, with no additional action taken at this time.
- 3.12. **‘Point of Order’** means the raising of a question by a member, with the view of calling attention to any departure from the Procedural Bylaw or the customary proceedings in debate or in the conduct of the Council’s business.
- 3.1.3. **‘Point of Procedure’** means a question to the Mayor or Councillor to obtain information on a matter of procedure in order to assist a member to make an appropriate motion, raise a point of order or understand the effect of a motion.
- 3.14. **‘Presiding Officer’** means the Mayor or the member of Council who may, from time to time, be presiding over any meeting of Council or a committee of Council, as the case may be;
- 3.15. **‘Resolution’** means a decision of Council or a committee:
- (a) respecting a matter properly before Council or a committee, as the case may be;
 - (b) properly put before members of Council or a committee by way of motion; and
 - (c) resulting from a vote of members then present;
- 3.1.6. **‘Town’** means the Municipal Corporation of the Town of Kindersley or, where the context requires, the geographical area within the Town limits of the Town of Kindersley;
- 3.1.7. **‘Council’** means the elected officials of the Town of Kindersley;
- 3.1.8. **‘Town Office’** means the administration office of the Municipal Corporation of the Town of Kindersley.
- 3.1.9. **‘Quorum’** is the majority of the members of Council or committee.

4. Schedules

The following schedule is attached to, and forms part of, this Policy:

Schedule “A” - List of exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.

PART II – COUNCIL PROCEDURE

5. Council

5.1. Council is the governing body of the Town of Kindersley and shall exercise the powers and carry out the duties prescribed by law.

5.2. Council shall consist of the Mayor and six (6) Councillors.

5.3. Subject to any limitations prescribed by law, Council may delegate or assign its powers and duties as it may be deemed advisable and in the public interest.

6. Mayor

6.1. The Mayor shall preside, when in attendance, at a Council meeting unless The Municipalities Act or other Act or a bylaw of this Council provides that another member of Council is required or permitted to preside.

6.2. The Mayor is a member of all Council and committees and bodies established by Council pursuant to the Municipalities Act, unless Council provides otherwise.

7. Deputy Mayor

7.1. Council may appoint a Councillor as Deputy Mayor. This shall be done at the first meeting after the annual election or as soon as conveniently possible. By December 31st of each year, Council shall approve a schedule of Deputy Mayor appointments for the year. Such appointments shall include all Councillors and be set out in consecutive terms of two (2) months.

7.2. A Deputy Mayor acts as Mayor if the Mayor is unable to perform the duties of the Mayor or the office of Mayor is vacant.

7.3. A Council may appoint an Acting Mayor if both the Mayor and Deputy Mayor is unable to perform their duties or both the office of Mayor and Deputy Mayor are vacant.

7.4. The Deputy Mayor shall exercise the authority and carry out the duties prescribed by law.

8. First Meeting of Council

8.1. The first meeting of Council following a general election will be held within 31 days after the date of the election.

8.2. The CAO shall determine the time, date and place of the meeting.

8.3. The CAO shall provide written notice of the time, date and place at least 24 hours prior to the meeting by personal service, delivery to the place of business or residence or at the request of the member, by facsimile or electronic mail.

9. Regular Meetings of Council

9.1. Subject to subsection (2), all regular meetings of Council shall:

9.1.1. be held every fourth Monday of each month;

9.1.2. commence at 7:15 p.m.;

9.1.3. be held in the Council Chambers at Town Office.

9.2. Council may, by resolution:

- 9.2.1. alter the date, hour and/or place of any regular meeting of Council;
- 9.2.2. cancel any regular meeting of Council.

9.3. The CAO shall provide 24 hours notice of the changed meeting date to the public and all members of Council not present at the Council or Committee Meeting at which the change was made.

9.4. Whenever any Monday referred to in Subsection (9.1.1) hereof is a Statutory or Public Holiday according to law, the Council, unless otherwise determined by a resolution passed at a previous meeting shall meet at the same hour and place on the day next following which is not a Statutory or Public Holiday,

10. Special Meetings of Council

10.1 Subject to subsection (10.2), the CAO may be directed to call a special meeting of Council whenever:

- a) the Mayor deems it expedient and in the public interest to do so; or
- b) a majority of the members of Council make a written request for a special meeting to be held.

10.2 Subject to subsection (10.3), where a special meeting of Council is called:

a) all members of Council shall receive, at least, twenty-four (24) hours notice in writing of the time and place of the meeting and, in general terms, the business to be transacted thereat; and

(b) the CAO shall post notice of the time and place of the meeting at Town Office at least twenty-four (24) hours prior to the meeting and shall describe, in general terms, the business to be transacted thereat.

10.3 The Mayor may direct the CAO to call a special meeting of Council on less than twenty-four (24) hours notice and without posting notice at Town Office provided that, immediately prior to the beginning of the special meeting, all members of Council unanimously agree to do so and sign a waiver of notice.

10.4. No business, other than that stated in the notice, shall be transacted at any special meeting of Council unless:

- (a) all members of Council are present at the meeting; and
- (b) all members of Council unanimously resolve to do so.

11. Methods of Giving Notice

11.1 When notice is required for regular or special meetings of Council or committees, it will be provided personally to the Councillor's home or place of work/business. Notices sent by other means such as fax or e-mail must be requested in writing by each Councillor.

11.2 Public Notice as set out in Town of Kindersley's Public Notice Policy Bylaw 20-05.

12. Meetings Though Electronic Means

12.1 Notification of Meetings may be done through mail, fax, or e-mails if a Council member requests it. Such a request shall be made in writing to the CAO.

13. Meetings of Council to be in Public, Exceptions

13.1 Subject to the specific provisions of this Bylaw, all meetings of Council shall be open to the public and every member of the public shall have the right to be present during all Council meetings unless that person has been expelled for improper conduct.

13.2 No act or proceeding of Council is effective unless it is authorized or adopted at a meeting of Council, which is open to the public.

13.3 Council may, by resolution, close all or part of a meeting to the public if a matter to be discussed at that meeting is one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.

13.4 Where Council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:

- a) the members of Council;
- b) the CAO and such other members of Town Administration as the members of Council may deem appropriate;
- c) such members of the public as may be allowed to attend by the Presiding Officer.

13.5 Where Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the CAO shall record in the minutes thereto:

- a) the time the in-camera portion of the meeting commenced and concluded;
- b) the names of the parties present; and
- c) the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* relied upon for authority to close the meeting to the public.

14. Long Range or Strategic Planning Meetings

14.1. Council may, at the request of the Mayor, or upon a motion of Council voted on by the majority of Council members, meet for the purposes of long-range or strategic planning and such meetings shall be closed to the public.

14.2 No business may be transacted at a meeting referred to in subsection

(14.1).

14.3 No minutes or record of proceedings shall be kept with respect to a meeting referred to in subsection (14.1).

15. Council Working Sessions

15.1. Council shall meet for the purposes of conducting working sessions related to Council policy development and review; as well as review of CAO monitoring reports. Such meetings shall be closed to the public.

15.2 All working sessions of Council shall:

- a) be held every second Monday of each month;
- b) commence at 7:15 p.m;

15.3. No business may be transacted at a meeting referred to in subsection (15.1).

15.4. No minutes or record of proceedings shall be kept with respect to a meeting referred to in subsection, unless business was transacted (15.1).

16. Order of Business and Agenda

16.1. The order of business for every regular meeting of Council shall be as follows:

Call to Order, which shall proceed according to section 13 of this Bylaw.

1. Adoption of Agenda

2. **Linkage** - Council may:

- 2.1. Receive Delegations
- 2.2. Receive Minutes of Council Committees, CAO Committees, Other Committees
- 2.3. Receive other reports and information from organizations not directly appointed or employed by the Town

3. **Governance Process** – Council shall:

- 3.1. **Approval of Minutes** – receive, correct, if necessary, and adopt the minutes of the last regular meeting of Council, together with any special meetings of Council which have occurred since the last regular meeting.
- 3.2. **Consent Agenda** - Approve Declarations and Proclamations; approve Permits; approve Passing of Accounts
- 3.3. **His Worship** - receive the Mayor's report
- 3.4. **Correspondence** – receive any other correspondence
- 3.5. **Policy** - Approve new or amend current Council Policy
- 3.6. **Bylaws** – Receive and/or consider any bylaws placed before them by Town Administration.
- 3.7. **Decision Items** – Receive and/or consider reports requiring resolutions on

various items.

3.8. **Discussion Items** – Receive and/or consider information on various items. Resolutions may or may not result from this discussion.

4. **Council/Staff Relationship** – Council shall receive reports from the CAO and other senior management.

5. Committee of the Whole in Private Session

5.1. Council may resolve to go into Committee of the Whole to deal with matters of a private nature, as per exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.

6. Adjournment

- 16.2. The business of Council shall be taken up in the order in which it stands on the agenda unless otherwise determined by a vote of a majority of members present.
- 16.3. The CAO shall ensure the agenda is prepared for every regular meeting of Town Council in accordance with the order of business set forth above.
- 16.4. The CAO shall ensure that copies of the agenda, plus supporting documentation, are distributed to Council members at least forty-eight (48) hours preceding the meeting of Council for which it was prepared.
- 16.5. Every regular meeting of Council shall automatically adjourn at the hour of ten (10:00) o'clock p.m., if in session at that hour, unless otherwise determined by unanimous vote of the members present.

17. Call to Order

17.1. All meetings of Council shall be called to Order when a majority of the members of Council are present at the hour appointed for that meeting by:
(a) the Mayor; or
(b) in the absence of the Mayor, the Deputy Mayor

17.2. If any member of Council, who is to preside at a meeting of Council, is unable to attend or does not attend within fifteen (15) minutes of the hour appointed for that meeting, the remaining members of Council may appoint a member present to perform the duties of the absent member of Council.

18. Quorum

18.1. The quorum of Council shall be a majority of the members of Council, except as provided in this or any other *Act*.

18.2. No act or proceeding of Council is valid if it is adopted at any meeting at

which a quorum is not present.

19. Absence of Quorum

19.1. Unless a majority of the members of Council are present within thirty (30) minutes of the hour appointed for that meeting, the meeting shall stand adjourned until the next regular meeting of Council, unless a special meeting is called in the interim.

19.2. In the event of an absence of quorum, the CAO shall record the names of the members present and the fact that the meeting stood adjourned for want of quorum.

20. Council Procedure and Voting

20.1 All questions, matters and proceedings properly before Council shall be decided by resolution of members of Council then present.

20.2. A Council member has one vote each time a vote is held.

20.3 All members of Council present shall vote on all matters properly before Council, unless the member is required or permitted to abstain from voting pursuant to the *Act* or any other Act.

20.4 If a member abstains from voting on a matter, for which that member is not required or permitted to abstain from voting, the member shall be deemed to have voted in the negative.

20.5. The CAO shall ensure that each abstention and the reasons for the abstentions are recorded in the minutes of the meeting.

20.6 If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw, as the case may be, shall be defeated.

20.7. All questions are to be decided by the majority of the votes, unless the Council requires a greater percentage of votes.

21. Member's Privilege, Re: Speaking

21.1. Subject only to the limitations set forth in this Policy, all members of Council shall have the privilege of speaking to any issue properly before Council.

21.2. No member of Council shall speak:

- (a) except when called upon to do so by the presiding Officer, other than for the purpose of raising a point of order or question or privilege;
- (b) respecting a matter other than the matter or question properly before Council;
- (c) more than three (3) times with respect to the same question.

21.3. All members of Council shall, when speaking to a matter or question before Council address the Presiding Officer and make all inquiries of and through the Presiding Officer.

22. Presiding Officer's Participation in Proceedings or Vote

22.1. If the Presiding Officer wishes to participate in the debate, he/she shall call upon another member of Council to temporarily preside over the meeting until he/she resumes the Chair.

22.2. The Presiding Officer shall vote on all matters properly before Council unless the member is required or permitted to abstain from voting pursuant to the *Act* or other applicable Act.

23. Recorded Vote

23.1. Prior to the question being put on a matter, any member of Council may request that the vote on that matter be recorded.

23.2. In the event a member of Council requests that a matter be recorded:

- (a) the Presiding Officer shall, following the question being put, state the name of each member voting for, and each member voting against, the matter; and
- (b) the CAO shall record in the minutes the names of each member present and whether or not each member voted for or against the matter.

24. Preservation of Order

24.1. The Presiding Officer shall preserve order and decorum during all meetings of Council and, subject to any appeal to Council, shall decide all questions of Order or points of privilege.

24.2. No member of Council shall:

- a) interrupt another member while speaking, except to raise a point of order or question or privilege;
- b) debate any previous vote of Council, except for purposes of moving that such vote be amended, rescinded or reconsidered in accordance with the provisions of this Policy;
- c) walk across or out of the room or leave the meeting, when the question has been put;
- d) speak disrespectfully of Her Majesty the Queen, the Governor General, the Lieutenant Governor, or of any other person administering the Government of the Dominion of Canada or the Province of Saskatchewan;
- e) speak disrespectfully to members of Council or of Town Administration;
- f) resist the rule or disobey the decision of the presiding Officer respecting any question of Order or procedure of Council.

24.3 In the event a member of Council resists or disobeys the decision of the presiding Officer, the Presiding Officer may order that member to leave his/her seat for the remaining part of that meeting.

24.4. In the event a member of Council refuses to leave his/her seat when ordered to do so by the Presiding Officer pursuant to subsection (24.2), the meeting shall be temporarily adjourned until:

- (a) the member apologizes to Council for his/her conduct and is permitted to retake his/her seat pursuant to subsection (4); or
- (b) the member voluntarily leaves his/her seat or is removed by a peace officer and order is restored.

24.5. A member that has been ordered to leave his/her seat by the presiding Officer may request permission to retake his/her seat during the remaining part of that meeting and may do so, by resolution, of the remaining members of Council.

25. Matters of Order and Privilege

25.1. Any member of Council may rise on a Point of Order or a Question of Privilege and, when he/she does so, if the debate is in progress, it shall be suspended and the speaker shall yield the floor until the Point of Order or Question of Privilege, as the case may be, is settled.

25.1.1. Point of Order

- (a) When any member of Council believes that another member of Council has not followed the rules of procedure of Council, they may ask that the Mayor rule on a point of order.
- (b) A Point of Order must be raised immediately at the time the rules of procedure are breached.
- (c) The member of Council against whom the point of order is raised may be granted permission by the Mayor to explain.
- (d) A point of order is not subject to amendment or debate.

25.1.2. Question of Privilege

- (a) Any member of Council may make a request to the Mayor on any matter related to the rights and privileges of Council or individual Councillors and as that the Mayor rule on a question of privilege.
- (b) The Mayor shall rule whether or not the matter raised is a question of privilege.
- (c) If the matter is determined to be a question of privilege, the member of Council who raised the question shall be permitted to speak to the matter.
- (d) If the question of privilege concerns a situation, circumstance or event which arose between meetings of Council, that member shall raise the matter immediately after the adoption of the minutes of the previous meeting.

(e) A question of privilege is not subject to amendment or debate

25.2. The person rising on the point of Order or question of privilege shall state the point of Order or question of privilege, as the case may be, without unnecessary comment and shall then resume his/her seat.

25.3. The CAO may, at the request of the Presiding Officer, provide advice to Council with respect to any procedural matter, the rights and privileges of members of Council, or the application or interpretation of the procedures set forth in this Policy.

25.4. The decision of the Presiding Officer shall stand unless reversed by a vote of a majority of members present.

25.5. Any member of Council may appeal the decision of the Presiding Officer to a vote of a majority of members present, which decision shall be final and binding.

26. Motions

26.1. After a motion has been accepted by the presiding Officer and duly seconded, the motion shall be deemed to be in the position of Council and may not be altered or amended except in accordance with the provisions of this Bylaw.

26.2. Any member of Council may, at any point in the debate, request that the motion under debate be read by the Presiding Officer.

26.3. Upon request of a member, the presiding Officer shall read the motion prior to further debate.

26.4. The mover of a motion may, prior to the question being put, ask the presiding Officer to alter or correct the wording of the motion in the event it has been improperly or inaccurately recorded.

27. Motions Restricted During Debate On A Matter

27.1 When a matter is under debate, no motion shall be received by the presiding Officer except:

- a) a motion to amend the main motion;
- b) a motion to amend an amendment;
- c) a motion to defer the motion to a fixed date;
- d) a motion to refer the matter for additional information;
- e) a motion to invoke the procedure known as "closure" (be put to a vote);
- f) a motion to adjourn the meeting.

28. Motion to Defer to a Fixed Date

28.1. If a majority of Council decides to defer a motion to a fixed date, the motion cannot be considered until the fixed date.

29. Debate Restricted On Certain Motions

29.1. The following motions shall be neither amendable nor debatable:

- a) a motion to lay the matter on the table and postpone debate, except as to the date or event upon which the matter shall be lifted from the table;
- b) a motion to refer the matter, except as to whom the matter shall be referred and/or the nature of the additional information to be obtained.
- c) a motion to invoke the procedure known as “closure”.

30. Procedure, re: amendments to motions

30.1. Except as otherwise provided herein, every motion, prior to the question being put, shall be subject to amendment and every amendment shall be subject to further amendment in a like fashion.

30.2. An amendment or sub-amendment must relate to the original motion and shall not:

- a) Reverse the affirmative or negative intent of the original motion
- b) Substantially change the intent of the motion

30.3. Once a motion to amend has been made, the original motion is set aside until the amendment has been decided.

30.4 Any member of Council may make a motion to amend, but only one amendment to an amendment shall be allowed until the amended motions are voted on.

30.5 Amendments shall be put to Council in the reverse order to the order in which they were moved.

31. Procedure, re: closure of debate

31.1. A motion to invoke the procedure known as “closure” may be moved by any member of Council for the purpose of closing debate.

31.2 When a “closure” has been moved and seconded, the Presiding Officer shall put it to a vote, without debate, and, if carried, all pending motions respecting the matter, including the main motion, shall be put to the members, in their proper order, without further debate.

32. Procedure, re: consideration of new matters

32.1. No motion pertaining to any matter, other than the business of Council placed on the agenda by the CAO, shall be received or open to debate except in accordance with this section.

32.2. A member of Council wishing to introduce a motion, pertaining to a matter other than that provided for in subsection (32.1), shall provide members of Council with notice of intention to introduce to do so.

32.3. The notice referred to in subsection (32.2) shall:

- (a) be given at a regular meeting of Council; and
- (b) summarize the nature of the new business and, in general terms, the motion that the member intends to introduce.

32.4. The motion referred to in subsection (32.2) shall be moved by the member at the next ensuing regular meeting of Council.

32.5. A written copy of the motion referred to in subsection (32.2) shall be provided to the CAO prior to the meeting of Council at which the member intends to introduce the motion.

32.6. Council may, by motion, supported by not less than two-thirds of the members present, waive the requirements of this section.

33. Procedure, re: reconsideration of a question

33.1. No question, once decided by Council, shall be subject to reconsideration except in accordance with this section.

33.2. Any question may be reconsidered by Council if a change has occurred in any material fact relied upon by Council in deciding the question or in the event new information is made available to members of Council, which information was not available at the time of Council's decision.

33.3. After a question has been decided, a motion to rescind or reconsider a resolution shall only be considered by Council if at least one of the following conditions are met:

- a) Written notice has been given to each Council member, of the proposed motion to rescind or reconsider, at least 24 hours prior to the meeting;
- b) By unanimous vote of all members of Council;
- c) A Council Committee or the administration recommends that the Council consider a motion to rescind or reconsider.

33.4. In the event the CAO receives a notice pursuant to subsection 33.3 a), no action shall be taken to carry into effect the main motion until after the motion of reconsideration has been decided by Council.

33.5. At the next ensuing regular meeting of Council, the main motion shall be placed before members of Council, together with the member's motion for reconsideration of that question.

33.6. During debate on a motion for reconsideration, no debate shall be allowed with respect to the main motion unless and until Council resolves to reconsider the matter, except for the purpose of the mover of the motion shall give his/her reasons for bringing the motion.

33.7. A motion to reconsider shall require at least two-thirds of Council members to pass, regardless of the number of members present.

34. Request that Motion be put to a Vote

34.1. A motion requesting that a motion be put to a vote cannot be moved or seconded by a member of Council who has spoken to the original motion.

34.2. A motion requesting that a motion be put to a vote cannot be amended or debated.

34.3. If a motion requesting that a motion be put to a vote is passed by Council, the original motion shall immediately be put to a vote of Council without any amendment or debate.

34.4. If a motion requesting that a motion be put to a vote is not passed by Council, the original question may be amended or debated.

35. Withdrawal of Motions

35.1. The mover and seconder of a motion may withdraw it at any time prior to a vote being taken or prior to the motion being amended.

36. Notice of Motion

36.1. A motion introducing a new matter shall not be considered by Council unless notice of motion has been submitted in writing to the CAO.

36.2. Council may, by unanimous consent of the members present, waive the requirement for notice.

36.3. All notices of motion received by the CAO must be received at least 48 hours prior to the next scheduled meeting.

37. Motion to Adjourn

37.1. A motion to adjourn is allowed at any time during a Council meeting, except:

- a) When a member of Council is speaking;
 - b) When the members of Council are voting on a motion;
 - c) When a recorded vote is being taken;
 - d) When it has been requested that a motion be put to a vote;
 - e) When Council is in the Committee of the Whole or in Camera.
- 37.2. A motion to adjourn shall be decided without debate.

38. Council/Staff Relationship

38.1 Under the meeting order of business entitled "Council/Staff Relationship", members of Council may:

- a) ask questions of Town Administration respecting the affairs of the Town of Kindersley, provided that such questions may be answered directly, without research; or
- b) submit questions, in writing, respecting the affairs of the Town of Kindersley.

38.2. All enquiries submitted pursuant to subsection (38.1) shall be read by the member, without debate, argument or unnecessary facts.

38.3 The CAO shall promptly prepare, or cause the preparation of, an answer to all enquiries submitted pursuant to subsection (38.1), which information shall be provided by the CAO to members of Council at the next regular meeting of Council.

39. Rules Applicable Where not Provided for in this Policy

39.1. In any matter of procedure not provided for in this Bylaw, the proceedings of Town Council shall be guided by *Robert's Rules of Order*, as interpreted in the book written by J. Jeffrey Auer, *Essentials of Parliamentary Procedure*.

40. Submissions/Correspondence/Petitions to Council

40.1. Every communication, notice of motion, and application seeking action of Council and all petitions intended for Council must be received by the CAO on or before 12:00 in the afternoon on the Thursday in the week preceding the meeting of Council.

40.2. Subject to subsections (40.1), (40.3), (40.4) and (40.5), the CAO shall place all original communications and petitions on the agenda of the next ensuing regular meeting of Council.

40.3. Whenever appropriate and possible, the CAO shall prepare, or cause the preparation of, a report or letter of transmittal for the benefit of members of Council to accompany all communications and, for the purpose of obtaining such additional information. The CAO may delay placing a communication on the agenda of Council until such information is available unless directed to do otherwise by the Mayor.

40.4. No communication or petition shall be placed on the agenda of Council where:

- a) the communication does not identify or provide any means of contacting the author;
- b) with respect to a communication, the purpose of which is to request an opportunity for a delegation to be heard, that communication does not contain a description of the issue or issues to be addressed by the delegation, together with a summary of the action or actions to be requested of Council by the delegation;
- c) the communication or petition, as the case may be, contains offensive or disparaging remarks respecting the Town of Kindersley, Council, any member of Council, any civic official, or any other person;
- d) the communication or petition is merely for the purpose of providing information without seeking action of Council, in which case, such communication shall merely be provided by the CAO to members of Council for their information.

40.5. Subject to the requirements of the *Act* or any other Act, the CAO may delay placing a petition on the agenda of Council for the purpose of determining the sufficiency of that petition.

41. Delegations before Council

41.1. No person or delegation shall be heard by Council;

- a) except, in relation to a matter on the agenda of, and when properly before, Town Council;
- b) notwithstanding subsection (a), by resolution permitting that delegation or person, as the case may be, to address members of Council;
- c) after the commencement of debate by members of Council on a motion respecting the matter in question, other than a motion to permit persons or delegates to speak.

41.2. Prior to addressing members of Council, all persons wishing to speak on behalf of themselves or a delegation shall state their name for the record.

41.3. Unless the presiding Officer otherwise permits, spokespersons for any one delegation shall be limited to one (1) individual.

41.4. The total time allowed for any one delegation to speak to its presentation, exclusive of the time required to answer questions of Council, shall be limited to fifteen (15) minutes.

41.5. The spokesperson shall confine comments to the subject matter contained in the original communication to the CAO.

42. Delegates May Not Speak Offensively

42.1. No person, who has been granted the privilege of addressing members of Council, shall make offensive or disparaging remarks respecting the Town of Kindersley, Council, any member of Council, any civic official, or any other person.

42.2. In the event of a violation of subsection (42.1), the presiding Officer shall promptly interrupt the speaker and require an immediate withdrawal of the offending remarks, with suitable apology.

42.3. In the event a speaker fails to comply with the requirements of the presiding Officer pursuant to subsection (42.2), that person shall not be permitted to continue his/her address to members of Council and may, by resolution, be expelled from Council Chambers upon such terms and conditions as Council may deem appropriate.

PART III - COMMITTEE OF THE WHOLE

43. Proceedings of Committee of the Whole

43.1. Where the Mayor, or in his/her absence, the Deputy Mayor, deems it advisable, a meeting of the Committee of Whole shall be held at the hour of 5:00 pm, on the days where a regular meeting of Council is to be held pursuant to subsection 9.1. These meetings shall automatically adjourn at the hour of 7:00 pm, if in session at that hour.

43.2. The Deputy Mayor or Acting Deputy Mayor, as the case may be, shall preside at all meetings of Committee of the Whole.

43.3. The rules of procedure provided for in Part II of this Policy respecting the proceeding of Council shall apply, *mutatis mutandis*, to the proceedings of Committee of the Whole, provided, however, that no motion shall require a seconder.

43.4. Committee of the Whole shall be called to Order by the presiding Officer upon resolution of Council to do so.

44. Motion to Rise and Report

44.1. On motion of the Committee of the Whole to rise and report, the question shall be decided without debate.

PART IV - PROCEDURE RESPECTING BYLAWS

45. Introduction of Bylaws

45.1. Every bylaw shall be introduced by the Mayor, Deputy Mayor, or Acting Deputy Mayor, as the case may be, upon resolution of Council to do so.

45.2. No bylaw shall be introduced in blank or in an imperfect form.

45.3. No bylaw shall be introduced unless all members of Council have had an opportunity to review the full text of the proposed bylaw.

45.4. Proposed bylaws will be circulated to Council members 24 hours previous to the commencement of the meeting they will be considered.

46. First reading of a bylaw

46.1. A motion to give first reading to a bylaw is not subject to debate.

46.2. During first reading of a bylaw, the Mayor, Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.

46.3. A bylaw is not subject to amendment during first reading.

47. Second reading of a bylaw

47.1. A motion to give second reading to a bylaw shall be subject to debate.

47.2. During second reading of a bylaw, the Mayor, Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.

47.3. Amendments to a bylaw may be moved and adopted during second reading.

48. Third reading of a bylaw

48.1. A motion to give third reading to a bylaw shall be subject to debate.

48.2. During third reading of a bylaw, the Mayor, Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.

48.3. A bylaw is not subject to amendment during third reading.

48.4. No bylaw shall receive more than two (2) readings at the same meeting of Council except by the unanimous resolution of the members present.

49. Custody of Bylaws

49.1 Every bylaw which has been passed by Council shall be numbered, dated, signed by the Mayor and CAO, affixed with the corporate seal, and kept in safekeeping by the Town CAO/Council Secretary.

49.2. Every bylaw which has been passed by Council shall be bound with the Minutes of Council, as a supplement thereto, for the year in which they are passed.

PART V – COMMITTEES, BOARDS AND COMMISSIONS OF COUNCIL

50. Committees, Boards and Commissions

A list of all committees, boards and commissions appointed by Council, including Terms of Reference or mandate, as well as conditions of Nomination and Appointment, forms part of Council Governance Policy GP.6 – Committee Involvement.

51. Proceedings of Committees, Boards and Commissions

51.1. Each Committee, Board or Commission shall be presided over by a Chairperson who shall be chosen by the Members of the Committee, Board or Commission unless appointed by Council. Thereafter, such Committee, Board or Commission shall meet at the call of the Chairperson or when requested to do so on written notice by a majority of the Members of the Committee, Board or Commission, said notice to be given by the CAO or the person acting as Secretary of the Committee, Board or Commission.

51.2. All questions, matters and proceedings properly before a Committee, Board or Commission established or continued pursuant to this Part shall be decided by resolution of members then present. The majority of the appointed Members of a Committee, Board or Commission shall form a quorum and if the ex-officio Member attends such meeting, then the quorum shall be the majority of the Members including the ex-officio Member.

51.3. The meetings of any Committee, Board or commission may be attended by other Members of Council, but such other Members of Council shall not be allowed to vote. Such Members may, with the permission of the majority of the Members of the Committee, Board or Commission, but not otherwise, be allowed to take part in any discussion or debate.

52. Reports and Recommendations of Committees, Boards and Commissions

52.1. The minutes of every meeting of all committees, Boards and Commissions shall be submitted to the CAO in a timely manner and placed on the agenda of the next regular meeting of Council.

52.2. Subject to any specific powers, duties and authority which may be delegated by bylaw or resolution of Council, no decision, recommendation or resolution of a board or committee shall be effective unless specifically adopted by resolution of Council.

52.3. A motion to receive the minutes of a meeting of a Committee, Commission or Board is not subject to debate.

PART VI - MISCELLANEOUS

53. Limitation of Action by Members

55.1. No member of Council shall direct or interfere with the functioning of any department of the Town or with the performance of any work carried on by such department except that in the absence of the CAO, the Mayor or Deputy Mayor may act in his/her stead. Committee Chairpersons shall direct matters of concern regarding department functions to the CAO.

54. Suspension of Rules

56.1 Subject to any requirements, which may be set forth in *The Act*, any rule or procedure provided for in this Policy may be temporarily suspended by motion and affirmative vote of not less than two-thirds of the members present.

55. Procedure for Repeal or Amendment of This Policy

57.1 This Policy may not be repealed or amended:

- a) without prior written notice to all members of Council; and
- b) except by motion and affirmative vote by not less than two-thirds of the members of Council present.

SCHEDULE “A”

List of Exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act.*

The following information is confidential and the proceedings of Council or any committee of Council may be held in-camera for the purpose of obtaining or discussing such information:

1. Information obtained in confidence either implicitly or explicitly from another level of government or another local authority.
2. Information, the release of which, could interfere or prejudice law enforcement or any lawful investigation or be injurious to the conduct of existing or anticipated legal proceedings.
3. A record which contains a draft bylaw or resolution.
4. In-Camera agendas or deliberations which include personal information.
5. Records which may contain:
 - (1) advice, proposals, recommendations, analysis or policy options developed by or for a local authority;
 - (2) consultations or deliberations involving officers or employees of the local authority;
 - (3) positions, plans, procedures, criteria or instructions developed for contractual or other negotiations by or on behalf of the local authority;
 - (4) plans that relate to the management of personnel or the administration of the local authority which have not been implemented; and
 - (5) information including proposed plans, policies or projects which may reasonably expect to result in disclosure of a pending policy or Works & Utilities decision.
6. A record which could reasonably be expected to disclose:
 - (1) trade secrets;
 - (2) proprietary information;
 - (3) information obtained through research by an employee, the disclosure of which, could be reasonably expected to deprive the employee of priority of publication;
 - (4) information, the disclosure of which, could reasonably be expected to interfere with contractual or other negotiations;
 - (5) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations;
 - (6) information, the disclosure of which, could reasonably be expected to prejudice the economic interest of the local authority; and
 - (7) information, the disclosure of which, could reasonably be expected to result in an undue benefit or loss to a person.
7. Third party information, which includes trade secrets of a third party or other information supplied in confidence to a local authority by a third party.
8. Records that contain information relating to testing or auditing procedures or details of specific tests to be given or audits to be conducted, the disclosure of which could reasonably be expected to prejudice the use or results of the tests or audits.
9. Any record, the disclosure of which could threaten the safety or physical or mental health of an individual.
10. Records which contain information, which is subject to solicitor-client privilege

APPENDIX 2:

<p style="text-align: center;">SCHEDULE 'A' – COMMITTEES, BOARDS AND COMMISSIONS</p>

COUNCIL STANDING COMMITTEES

EMO CONTROL COMMITTEE - 1 year term – all of Council (7 members)

MUNICIPAL PLANNING COMMISSION- 1 year term - 3 Town Councillors; 3 members of public

TOWN/R.M. LIAISON COMMITTEE - 1 year term – 3 Town Councillors

COUNCIL JOINT COMMITTEES (Council & other governing body/ies)

ESTON / KINDERSLEY WATER ADMINISTRATION BOARD - 1 year term – 3 Town Councillors

DISTRICT PLANNING COMMISSION - 1 year term – 3 Town Councillors

COUNCIL REPRESENTATIVES & PUBLIC APPOINTED TO OTHER COMMITTEES

KINDERSLEY LOCAL LIBRARY - 2 year term – 1 Town Councillor and 5 members of public

KINDERSLEY REGIONAL PARK AUTHORITY – 2 year term – 1 Town Councillor and 2 members of public

KINDERSLEY VETERINARY SERVICE DISTRICT BOARD – 1 year term – 1 Town Councillor

MERIDIAN COMMUNITY FUTURES DEVELOPMENT CORPORATION - 1 year term – 1 Councillor

KINDERSLEY & DISTRICT PLAINS MUSEUM - 1 year term – 1 Councillor

WATERWEST PIPELINE CO-OPERATIVE – 1 year term – 3 Councillors

WEST CENTRAL MUNICIPAL GOVERNMENT COMMITTEE - 1 year term – 3 Town Councillors

WEST CENTRAL ENTERPRISE REGION - 1 year term – 1 Town Councillor

WHEATLAND REGIONAL LIBRARY - 1 year term – 1 Town Councillor

ADMINISTRATOR (CAO) COMMITTEES

KINDERSLEY REGIONAL AIRPORT BOARD - 1 year term - up to 18 members of partner organizations, members at large, Town Council (2) and participating RM Councils (1 each), and Town staff

ARTS, CULTURE & HERITAGE ADVISORY COMMITTEE – 1 year term – 2 Town Councillors and Town staff

CEMETERY COMMITTEE – 1 year term – 1 Town Councillor, 4 members of public and Town staff

COMMUNITIES IN BLOOM - 2 year term - 1 Town Councillor, 8 members from public, and Town staff

EMO PLANNING COMMITTEE - 1 year term – 1 Town Councillor, 1 member of public, RM of Kindersley (2), RCMP, Fire & Rescue Dept, Heartland Health Regional Authority, and Town staff

RECREATION ADVISORY COMMITTEE – 1 year term – 2 Town Councillors and Town staff

BOARDS ESTABLISHED THROUGH LEGISLATION (appointed by Council)

BOARD OF REVISION - 1 year term - 3 members of the public

DEVELOPMENT APPEALS BOARD - 1 year term - 3 members of the public

**SCHEDULE "B" - BOARDS, COMMITTEES OR COMMISSION
MANDATES/TERMS OF REFERENCE**

Exerpt from
**TOWN OF KINDERSLEY
BYLAW NO. 04-09**

**A BYLAW OF THE TOWN OF KINDERSLEY
TO PROVIDE FOR THE ESTABLISHMENT OF AN
EMERGENCY MANAGEMENT ORGANIZATION**

3. The Emergency Management Organization of the Town of Kindersley shall be comprised of the Emergency Measures Planning Committee, municipal departments and voluntary organizations within the Town.
5. The Coordinator shall have the following duties and responsibilities:
 - a. Acts as Chairman of the Emergency Management Planning Committee established under this bylaw;
 - b. Stimulates and coordinates the development of an emergency plan for the community in co-operation with the departments and agencies of the Town;
 - c. Provides emergency plans from guidelines laid down by the Emergency Management Control Group;
 - d. Submits regular reports to the Emergency Management Control Group to keep them fully informed of progress;
 - e. Correlates all activities of those person and/or organizations involved within the Town of Kindersley and designated for the Emergency Management Organizations;
 - f. Ensures that a continuous program of training for local Emergency Management Organization personnel is carried out, either by local training classes or attendance at provincial or federal training schools;
 - g. Cooperates with Mutual Aid Area and Saskatchewan Corrections and Public Safety on all matters pertaining to planning and operations;
 - h. Submits a projected budget to cover costs of emergency management operations within the Town;
 - i. Acts as advisor to the Town of Kindersley during emergencies or disasters.
6. There shall be an Emergency Management Planning Committee comprised of the Emergency Coordinator, the Chief Administrator Officer, the Public Information Officer, the director of Emergency Social Services, the Chief of Police, the Fire Chief, the Director of Public Works, the Director of Transportation and such other persons, when required, that may be deemed necessary to formulate a municipal emergency plan (or their delegates who are hereby empowered to act on their behalf).
7. The EMO Planning Committee as a whole, under the coordination of the Chairman will integrate the municipal and voluntary emergency services plans into one comprehensive emergency plan.
8. Each town department or voluntary organizations of the Town shall be responsible to develop and execute the emergency plan of the service he or she represents, train municipal employees and volunteers and make a comprehensive study of existing resources.

**Exerpt from
TOWN OF KINDERSLEY
BYLAW NO. 20-07**

**A BYLAW RESPECTING RE-ESTABLISHMENT OF
A MUNICIPAL PLANNING COMMISSION**

1. The guiding documents for the work of the commission shall be the 2007 Town of Kindersley Official Community Plan (DRAFT), 1989 Kindersley Development Plan and the Town's zoning bylaw. The 2004 Kindersley Community Plan (Botting) shall also be considered during commission deliberations. The commission may solicit input from other sources at any time.
2. Membership on the Commission shall include seven (7) members made up of:
 - Town Director of Engineering Services
 - Three (3) Town Councillors (these members shall also serve as town representatives on the District Planning Commission)
 - Three (3) members from the community at large, to be chosen by Council as a whole, upon recommendation from the appointed Council members.
3. Term of Appointment for Town Councillors will be three (3) years in length and will coincide with municipal election years. Appointments to be effective January 1st directly following a municipal election and to expire December 31st, 3 years later. Appointments made during 2007 will be in effect until December 31st, 2009.
4. Term of Appointment for members from the community at large shall be one (1), two (2) and three (3) years, respectively, in order to ensure continuity.
5. Frequency of meetings – The commission shall meet at least four (4) times per year, and preferably every two (2) months.
6. Powers, duties and procedures of the commission:
 - The commission shall provide options to Council. The commission has no formal decision-making powers.
 - The commission's duties shall include, but not be limited to review and provide options on the following:
 - Guidelines for the sales pricing of town properties and lots
 - Guidelines for tax incentive policies on town property
 - Guidelines for tax-exemptions on town property
 - Municipal reserve/dedicated lands
 - Greenspace within town lands
 - Guidelines on public inspection of infrastructure development and buildings (eg: garages, decks, curbs, sidewalks)
 - Guidelines for zoning, re-zoning and discretionary use.

- iv. RM of Oakdale 320 1 Council member
- v. RM of Antelope Park 322 1 Council member
- vi. RM of Milton 292 1 Council member
- vii. Kindersley Flying Club 2 members
- viii. Kindersley Chamber of Commerce 1 member
- ix. Oil Industry 1 member
- x. West Central Enterprise Region 1 member
- xi. Others (to be determined)

6. DIRECTORS, OFFICERS AND THEIR DUTIES

- a. All officers shall enter upon their official duties as chosen at the Annual Meeting and except for the Directors, shall serve for a term of one year, or until their successors shall be duly elected and qualified.
- b. The Chairperson shall be the chief executive officer of the Board and shall preside over meetings of the Board. He/she shall be an exofficio member of all standing and special committees and shall perform such other duties as usually pertain to the office of Chairperson.
- c. The Vice-Chairperson, in the absence of the Chairperson, shall preside at the meetings of the Board. The Vice-Chairperson shall perform such other duties as usually pertain to that office, or may be assigned to him/her by the Chairperson.
- d. All Directors of the Board shall have the power to make recommendations and vote on allocation of the approved operating budget.

The Secretary-Treasurer shall be assigned by the Town of Kindersley and shall draw up and keep a record of minutes of all meetings of the Board.

- e. The duties of the Secretary-Treasurer shall be as follows:
 - i. Notify all Directors of the Annual Meeting by providing three weeks written notice.
 - ii. Subject to direction of the Chairman, notify all Directors of meetings
 - iii. Attend to all correspondence of the Board
 - iv. Keep adequate and proper records which shall be open to inspection by any member of the Board, Transport Canada, Navigation Canada, the Ministry of Highways and Transportation, or their representative upon request
 - v. All accounts are to be received and paid by the Town of Kindersley.

7. EXECUTIVE COMMITTEE POWERS

- a. The Directors representing the municipalities listed below who provide funding to the operations and capital improvements of the Kindersley Regional Airport shall constitute the Executive Committee of the Board. These municipalities shall include, but not be limited to:
 - i. Town of Kindersley
 - ii. RM of Kindersley 290
 - iii. RM of Prairiedale 321
 - iv. RM of Oakdale 320
 - v. RM of Antelope Park 322
 - vi. RM of Milton 292
- b. The operating budget shall be shared equally among member municipalities who constitute the Executive Committee.
- c. Each member of the Executive Committee shall contribute annually and equally to a capital reserve.
- d. Each municipality that is a member of the Executive Committee may have more than one representative on the Board, but the voting structure shall be “one member – one vote”.

- e. The operating and capital budget must pass unanimously at a special meeting of the Executive Committee prior to and in preparation for the Annual Meeting.
- f. All accounts (revenues and expenses) are to be presented to the Executive Committee of the Board for review and approval on a monthly basis.

8. MEETINGS

- a. There shall be an Annual Meeting of the members of the Board and the participating municipalities during the first quarter of the fiscal year (January 1 – December 31). Each member and participants shall receive three weeks written notice of the meeting.

At each Annual Meeting, the Authority shall:

- 1. Adopt or amend its constitution
 - 2. Elect Officers
 - 3. Prepare, consider and approve the budget for the next fiscal year
 - 4. Consider and adopt a financial statement and annual report for the previous fiscal year
 - 5. Conduct such other business as may be deemed necessary.
- b. Meetings of the Board shall be held monthly throughout the year, on pre-determined dates set at the first meeting of the year.
 - c. General meetings of the Board shall be held throughout the year.
 - d. Special meetings may be called at any time at the call of the Chairperson.
 - e. A simple majority (50+1%) shall constitute a quorum at meetings of the Board.

9. PROCEDURES AT MEETINGS

At meetings of the Board and at meetings of the Executive Committee, every member present must vote on every question, EXCEPT any member who has an interest in any question or matter that comes before the meeting, and who shall disclose his/her interest and shall not vote thereon. Procedures shall follow Robert's Rules of Order.

10. SIGNING OF DOCUMENTS

Legal documents shall be validly executed by the Board under the signatures of two members of the Board, at least one of which must be the Secretary-Treasurer and the other the Chairperson or Vice-Chairperson.

11. ANNUAL AUDIT

The auditor of the Town of Kindersley shall conduct the audit of the Kindersley Regional Airport during the course of the regular annual audit of the Town.

12. BORROWING OF FUNDS

The Board may borrow funds for capital or maintenance expenditures only through authorization of the Executive Committee.

13. PREVIOUS CONSTITUTIONS VOID

Any and/or all previous constitutions of the Kindersley Regional Airport Board is/are declared to be null and void.

CEMETERY COMMITTEE

ROLE & PURPOSE: The Committee serves in an advisory capacity, monitoring and making recommendations to Council about matters pertaining to the operation and maintenance of the cemetery.

APPOINTMENT TERM: Terms of membership shall be one year.

COMMUNITIES in BLOOM COMMITTEE

TERMS OF REFERENCE

PURPOSE: This is a subcommittee of the Municipal Planning Commission. Its purpose is to assist the Town of Kindersley with the design and implementation of a continuous long-range beautification plan for the Town.

COMPOSITION: The Committee will consist of up to 10 members who will elect a chair, vice chair and recording secretary annually at the first meeting of the year. Up to two employees of the Town Parks Department and one Town Councillor will be members of the committee. Any member missing three consecutive meetings may be replaced.

QUORUM: Five Committee members will constitute a quorum.

APPOINTMENT TERM: The Council of the Town of Kindersley will appoint committee members for 2-year terms.

ADMINISTRATIVE

SUPPORT: The committee may need advice or expertise from external sources. The Chair will make such requests to the Town Chief Administrative Officer. The Council/Administration Secretary will provide administrative support to the committee.

REPORTING: The Committee will submit minutes of all meetings to the Chief Administrative Officer for Council's information.

PROVISION OF

EXPENSES: The Committee will prepare and submit an annual budget to Town Council for approval.

ARTS, CULTURE & HERITAGE ADVISORY COMMITTEE

TERMS OF REFERENCE

PURPOSE: This committee exists to enhance communication and the relationship between the member organizations (user groups) and the Town of Kindersley, and among the groups themselves. This “working” committee operates in an advisory capacity, providing recommendations about arts, culture and heritage to the Town and to each member organization.

COMPOSITION: The Committee will consist of one representative from each of the following member organizations, unless otherwise indicated:

- Kindersley Arts Council
- Kindersley Players
- Staying in Tune
- Kindersley Music Festival
- Kindersley & District Plains Museum
- Kindersley Community Choir
- RM of Kindersley 290
- Kindersley Town Council (2)
- Town of Kindersley staff (2)

The Committee will elect a chair, vice chair and recording secretary annually at the first meeting of the year.

The Committee shall recommend any membership changes to Council for approval.

QUORUM: 50+1% of committee members will constitute a quorum.

APPOINTMENT TERM: The Council of the Town of Kindersley will formally appoint committee members on an annual basis who are selected by their member organizations. The Committee will hold a minimum of four meetings per year, on dates agreed upon by the Committee.

ADMINISTRATIVE

SUPPORT: The Town of Kindersley will provide administrative support to the committee.

REPORTING: The Committee will submit minutes of all meetings to the Chief Administrative Officer for Town Council’s information.

RECREATION ADVISORY COMMITTEE

TERMS OF REFERENCE

PURPOSE: This committee exists to enhance communication and the relationship between the member organizations (user groups) and the Town of Kindersley, and among the groups themselves. This “working” committee operates in an advisory capacity, providing recommendations about recreation services to the Town and to each member organization.

COMPOSITION: The Committee will consist of one representative from each of the following member organizations, unless otherwise indicated:

- Kindersley Junior Klippers
- Kindersley Sr. Klippers Organization
- Kindersley Curling Club
- Kindersley Chamber of Commerce
- Kindersley Minor Sports Association
- Kindersley Rodeo Committee
- RM of Kindersley No. 290
- Kindersley Town Council (2)
- Town of Kindersley – Leisure Services (2)

The Committee will elect a chair, vice chair and recording secretary annually at the first meeting of the year.

QUORUM: 6 committee members will constitute a quorum.

APPOINTMENT TERM: The Council of the Town of Kindersley will formally appoint committee members on an annual basis who are selected by their member organizations. Meetings are held in January, April, June, September and November of each year, on dates agreed upon by the Committee.

ADMINISTRATIVE

SUPPORT: The Town of Kindersley Council/Administration Secretary will provide administrative support to the committee.

REPORTING: The Committee will submit minutes of all meetings to the Chief Administrative Officer for Town Council’s information.

BOARD OF REVISION

DIVISION 5 and DIVISION 6 - Board of Revision (*The Municipalities Act*)

Establishment of board of revision

220 (1) A Council shall appoint not less than three persons to constitute the board of revision for the municipality.

(2) No member of the Council or the board of education of any school division situated wholly or partly in the municipality, or in which the municipality is wholly or partly situated, is eligible to sit as a member of the board of revision for the municipality.

(3) No member of a board of revision may hear or vote on any decision that relates to a matter with respect to which the member has a pecuniary interest within the meaning of section 143.

(4) The Council shall determine:

- (a) the term of office of each member of the board of revision;
- (b) the manner in which vacancies are to be filled; and
- (c) the remuneration and expenses, if any, payable to each member.

(5) Neither a member of the board of revision nor the secretary of the board of revision appointed pursuant to section 221 shall carry out any power, duty or function of that office until he or she has taken an official oath in the prescribed form.

(6) The members of the board of revision shall choose a chairperson from among themselves.

(7) The chairperson of the board of revision may:

- (a) appoint panels of not less than three members of a board of revision; and
- (b) appoint a chairperson for each panel.

(8) Notwithstanding subsection (7) but subject to the conditions prescribed in section 223, the chairperson may appoint one member of the board of revision to serve as a panel.

(9) Each panel appointed pursuant to subsection (7) or (8) may hear and rule on appeals concurrently as though it were the board of revision in every instance.

(10) A majority of the members of a board of revision or of a panel constitutes a quorum for the purposes of a sitting or hearing or of conducting the business of the board or panel.

(11) A decision of a majority of the members of a board of revision or of a panel is the decision of the board of revision.

(12) The mayor or reeve may appoint a person as an acting member of a board of revision if any member is unable to attend a hearing of the board.

(13) The Lieutenant Governor in Council may make regulations prescribing rules of procedure for boards of revision.

(14) Every board of revision shall comply with any prescribed rules of procedure.

Secretary of board of revision

221(1) The Council shall:

- (a) appoint a secretary of the board of revision; and
- (b) prescribe the term of office, the remuneration, and duties of the secretary of the board of revision.

(2) The assessor is not eligible to be the secretary of the board of revision for the municipality in which he or she is the assessor.

DEVELOPMENT APPEALS BOARD ***[The Planning and Development Act, 2007]***

(k) “**Development Appeals Board**” means a board required by section 49 to be established in every zoning bylaw, which may be a District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3);

DIVISION 1

Development Appeals Board

Interpretation of Part

213 In this Part, “**board**” means, unless otherwise specified:

- (a) a local Development Appeals Board; or
- (b) a District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3).

Appointment of board

214(1) A Council shall appoint not less than three persons to constitute the board for the municipality.

(2) A Council shall appoint a board within 90 days after the zoning bylaw comes into effect.

(3) A Council may agree with the Council of any other municipality to jointly establish a District Development Appeals Board to have jurisdiction in their municipalities.

(4) Subsection (1) does not apply if a Council that has been declared an approving authority pursuant to subsection 13(1) has included these matters in a bylaw pursuant to section 26.

Membership of board

215(1) Subject to subsection (2), the following persons are not eligible to be appointed as a member of a board or to continue as a member of that board:

- (a) a member of a municipal Council;
- (b) an employee of a municipality;
- (c) a member or employee of a planning commission of which the municipality is a member.

(2) Notwithstanding clause (1)(a), a District Development Appeals Board may include a combination of members of Council and other persons but only if the Councillors from a single municipality do not form the majority of the District

(3) A member of Council who took part in the decision under appeal as a member of a district planning commission may not hear the appeal.

(4) A majority of the members of the District Development Appeals Board constitutes a quorum for hearing the appeal, but if one or more members is disqualified from hearing the appeal pursuant to subsection (3), two members constitute a quorum.

(5) This section does not apply if a Council that has been declared an approving authority pursuant to subsection 13(1) has included these matters in a bylaw pursuant to section 26.

Board organization

216(1) The Council shall determine:

- (a) the term of office of each member of the board;
- (b) the manner in which vacancies are to be filled; and
- (c) the remuneration and expenses, if any, payable to each member.

(2) The members of the board shall choose a chairperson from among themselves.

(3) The Council shall:

(a) appoint a secretary of the board; and

(b) prescribe the term of office, the remuneration, and duties of the secretary of the board.

(4) The board may, subject to the approval of Council, appoint any consultants that may be necessary to assist it in the discharge of its responsibilities, and Council is responsible for any costs incurred by the board with respect to those appointments.

(5) Subject to the other provisions of this Act, the board may adopt rules of procedure to be followed in carrying out its functions.

(6) The Lieutenant Governor in Council may make regulations prescribing rules of procedure for the boards.

(7) Every board shall comply with any rules of procedure prescribed by the Lieutenant Governor in Council pursuant to subsection (5).

(8) This section does not apply if a Council that has been declared an approving authority pursuant to subsection 13(1) has included these matters in a bylaw pursuant to section 26.

Meetings

217(1) Meetings of and hearings by the board are at the call of the secretary in consultation with the chairperson of the board.

(2) This section does not apply if a Council that has been declared an approving authority pursuant to subsection 13(1) has included these matters in a bylaw pursuant to section 26.