

# TOWN OF MINNEDOSA

## ORGANIZATIONAL BY-LAW 2595

**BEING A BY-LAW** to establish and organizational structure of the Council of the Town of Minnedosa and the committees thereof.

**WHEREAS** the Council of the Town of Minnedosa is required under Section 148 of The Municipal Act, to establish by by-law an organizational structure for the municipality and review the by-law at least once during its term of office.

**THEREFORE** the Council of the Town of Minnedosa, in open session duly assembled, enacts as follows:

### TITLE

1.0 This by-law may be referred to as “Town of Minnedosa Organizational By-law”

### DEFINITIONS

2.0 In this by-law, unless the context otherwise requires:

- a. **‘Council’** means the Council of the Town of Minnedosa
- b. **‘Council Committee’** means a committee established by Council under provisions of this by-law.
- c. **‘Deputy Mayor’** means the member who is appointed by Council, to act as Mayor in their absence.
- d. **‘Mayor’** means the member of Council duly elected as Mayor of the Town of Minnedosa and continuing to hold office.
- e. **‘Members’** means, when referring to Council, the Mayor and Councillors.
- f. **‘Municipality’** means the Town of Minnedosa
- g. **‘Other Committees, Boards and Public Agencies’** means a committee, board or public agency not established by Council under the provisions of this by-law.

### ROLE OF COUNCIL

3.0 Council is responsible for:

- a. the overall development and evaluation of policies and programs of the municipality;
- b. ensuring that all powers, duties and functions of the municipality are appropriately carried out;
- c. carrying out the powers, duties and functions expressly given to the Council under this or any other Act.

4.0 Subject to Section 5.0, Council may, by by-law, delegate any of its powers, duties or functions that are provided under the provisions of any act, or civic by-law, to the Mayor, any committee of Council, the Chief Administrative Officer or other designated officer of the municipality, unless the said Act or by-law otherwise provides.

5.0 Council shall not delegate the following powers or duties:

- a. its power or duty to pass a resolution or by-law;
- b. its power to make, suspend or revoke the appointment of a person to the position of Chief Administrative Officer;
- c. its duty to hold a public hearing under the provisions of any Act of the Manitoba Legislature; or
- d. a duty to decide appeals imposed on it by a by-law or any Act, whether generally or on a case by case basis, unless the delegation of this authority is to a committee of Council and is authorized by by-law.

## MAYOR

- 6.0 In addition to performing the duties of a member of Council, the Mayor has a statutory responsibility:
- a. to preside when in attendance at a meeting of Council, except where the procedure by-law or any Act of the Manitoba Legislature otherwise provides;
  - b. to provide civic leadership and direction to Council, the Chief Administrative Officer and other designated officers
  - c. to perform any other duty or act assigned to the Mayor by Council or by any Act of the Manitoba Legislature.

## GENERAL DUTIES OF MEMBERS

- 7.0 Each member of a council has the following duties:
- a. to consider the well-being and interest of the municipality as a whole and to bring Council's attention anything that would promote the well-being or interests of the municipality;
  - b. to participate generally in the development and evaluation of the policies and programs of the municipality;
  - c. to participate in meeting of the Council and Council Committees and other civic bodies to which the member has been appointed;
  - d. to keep in confidence a matter that is discussed at a meeting closed to the public under Section 153(3) of The Municipal Act. Such business shall be kept confidential until the matter is made public at an open meeting
  - e. to perform any other duty or function imposed on the member by the Council or any other Act.

## ESTABLISHMENT AND DUTIES OF COUNCIL COMMITTEES

- 8.0 Council may establish such Council Committees or other committees that are necessary or deemed expedient for the orderly and efficient handling of the business affairs of the municipality.
- 9.0 The general duties of Council Committees shall be as follows:
- a. to report from time to time on all matters connected with the duties imposed on the Committee and to recommend such action as may be deemed necessary;
  - b. to introduce to Council all such by-laws as may be necessary to give effect to the reports and recommendations that are adopted by Council;
  - c. to consider and report respectfully on any-and-all matters referred to them by Council.
- 10.0 All Council Committees established under the provisions of this by-law must cause minutes of its proceedings to be made and retained in accordance with all statutory provisions of any Act of the Manitoba Legislature and in preparing such minutes of the meetings, the secretary shall include:
- a. the names of all members present at and absent from the meeting;
  - b. all decisions and other proceedings as deemed necessary;
  - c. if required, the names of all members voting for or against all motions;
  - d. and declarations of pecuniary interests made under The Municipal Council Conflict of Interest Act; and
  - e. the signature of the Committee Chairperson

- 11.0 The following committees are hereby established as Committees of Council whereby the membership and purpose of these committees shall be as outlined hereunder:
- 12.0 a. the **'General Governance Committee'** which shall:
- i. Serve as an informed voice to Council on the financial position of the Town
  - ii. Oversight on all accounts and expenditures of municipal funds;
  - iii. Present to council an accounting of all expenditures authorized for payment each month and to present council any extraordinary expenditures that exceed \$25,000.00;
  - iv. Supervise all accounts, expenditures and outlay and all sums payable under contract before any monies are paid; and not account, claim or demand not expressly authorized to be paid by a statute, by-law, resolution or policy of Council, shall be paid by the CAO until same has been authorized by the committee;
  - v. Annually review and recommend to Council the types, rates and conditions of payments to be made to or on behalf of members of the Council and Council Committees, as compensation and for expenses incurred while attending to municipal business and for any other purpose relating to municipal business that the Council considers appropriate;
  - vi. Present to Council reports, by-laws, legal documentation, reports, recommendation, draft policies, etc. for consideration and approval.
  - vii. Meet monthly.
- b. the **'Protective Services Committee'** which shall:
- i. Consider and report on all matters relating to public safety, including; new or amended provincial or federal regulations, recommendations, protective, preventative and enforcement;
  - ii. Report and provide recommendations on all matters relating to law enforcement and policing by the RCMP, Fire Department, Animal Control and Emergency Planning and Preparedness;
  - iii. Provide recommendations to Council concerning yearly projects, works and matters under its control.
- c. the **'Planning and Development Services Committee'** which shall:
- i. Consider and report, with recommendations, on all matters relating to development; including planning and zoning, beautification and renewal programs, future growth and development;
  - ii. Report to Council information from the Tanners Crossing Planning District.
- d. the **'Recreation Governance and Cultural Committee'** which shall:
- i. Consider and report with recommendations on all matters relating to recreational and cultural needs within the Town; museums, parks and playgrounds, beaches and other recreational facilities such as the Minnedosa Regional Events Centre (includes arena and sports grounds), Minnedosa Community Complex Centre, and the Minnedosa Community Conference Centre;
  - ii. Provide recommendations to Council on projects, works and matters under its control as it considers essential to be carried out during the year.
- 12.1 Each Committee of Council shall be comprised of a minimum of three (3) members of Council.
- 12.2 The Mayor is an ex-officio member of all Committees of Council and all other Board and Committees.
- 12.3 A ad-hoc or special committee of Council may be created by way of Council resolution, specifying the reason and duties of said committee.

- 12.4 Members of Council of the Municipality may be appointed to the local and regional boards as follows:
- a. Assiniboine West Watershed District
  - b. Minnedosa Regional Archives Board
  - c. Minnedosa Area Community Development Corporation
  - d. Evergreen Environmental Technologies Inc.
  - e. Heritage Village
  - d. Minnedosa District Veterinary Services Board
  - f. Minnedosa Lake Enhancement Committee
  - g. Minnedosa Regional Library
  - i. Spruce Plains Justice
  - j. Tanner's Crossing Planning District Board
  - k. Yellowhead Regional Employment
  - l. Valley Life Housing Group Inc.

#### **GENERAL DUTIES OF COMMITTEE OF THE WHOLE**

- 13.0 The Committee shall consist of all members of Council and administration.
- 13.1 The Committee shall develop and review special projects, policies and procedures, financial and Human Resources policies.
- 13.2 The Committee shall meet when necessary and at the call of the Mayor.

#### **GENERAL DUTIES OF APPOINTMENTS TO OTHER COMMUNITY COMMITTEES AND BOARDS**

##### **14.0 Council Appointments**

- a. Members of Council shall be appointed by resolution to local and regional boards at the inaugural meeting. Appointments shall be in effect for the term of Council unless the Mayor determines otherwise;
- b. Alternate appointments may be appointed by resolution;
- c. Each member of Council appointed shall act as the representative of Council;
- d. Appointed members are required to provide a written report to Council;
- e. Appointed members may be required to report to the Committee or Board Council's decision;
- f. Appointed members are responsible for attending regular scheduled meetings and keep up to date with the dealings of the Committee or Board;

##### **15.0 Citizen Appointments**

- a. Council may appoint citizen members to serve on Committees or Boards;
- b. Citizen members shall be appointed by resolution of Council, and such appointment shall be communicated in writing to both the Citizen and Committee or Board;
- c. The appointment shall be in effect for the term of Council, unless otherwise removed by way of Council resolution.

#### **YOUTH MEMBER**

- 16.0 Council may by resolution appoint a person with the title of 'Youth Member' to sit with the Council and to participate in Council deliberations.
- 16.1 A youth member must be less than 18 years of age or enrolled as a full-time student at Minnedosa Collegiate Institute and must be a resident of the Town of Minnedosa
- 16.2 A youth member is not permitted to move or second a resolution, the vote of a youth member will not be counted in the vote and may not participate in any proceedings closed to the public.
- 16.3 The term of office shall be one (1) year.

### **BOARD OF REVISION**

- 17.0 Council may be resolution appoint a Board of Revision to hear assessment appeals. Should no other Board be appointed, Council shall sit as the Board of Revision for that year.
- 17.1 The Board of Revision shall consist of a quorum of the members of Council. The Mayor shall serve as Board Chair.

### **MEETINGS OF COUNCIL COMMITTEES**

- 18.0 Every meeting of a Council Committee established under the provisions of this by-law must be conducted in public.
- 19.0 Everyone has a right to be present at a meeting of a Council Committee unless the person who is presiding at the meeting expels a person for improper conduct.
- 20.0 Notwithstanding the provisions of Section 18.0 of this by-law, a Council Committee may close a meeting to the public if the matter discussed relates to:
- a. municipal assistance;
  - b. an employee, including the employees salary, duties and benefits and any appraisal of the employees performance;
  - c. a matter that is in its preliminary stages and respecting which discussion in public could prejudice the municipality's ability to carry out its activities or negotiations;
  - d. the conduct if existing or anticipated legal proceedings;
  - e. the conduct of an investigation under enforcement of an Act of the Manitoba Legislature or civic by-law;
  - f. the security of documents or premises; or
  - g. a report of the Provincial Ombudsman received by the Mayor under clause 36(1)(e) of The Ombudsmen Act.
- 21.0 A quorum is required for a during for each meeting of a Council Committee and shall consist of:
- a. the majority of members comprising the committee; or
  - b. if a position is vacant, a majority of the remaining members;

but, the minimum number required for a quorum may be reduced in accordance with the statutory provision set out in The Municipal Council Conflict of Interest Act

### **SIGNING AUTHORITY**

- 22.0 By-laws, agreements, cheques and other legal or negotiable instruments must be signed or authorized by two (2) signatures, but one must be from each of the following:
- a. Three (3) members of Council; those being the Mayor and two (2) members of Council whom have been designated by resolution of Council; and
  - b. Three (3) members of Administration, being: Chief Administrative Officer, Assistant Chief Administrative Officer, and a member of the Administration staff whom have been appointed by resolution.
- 23.0 That By-law 2564 is hereby repealed.
- 24.0 This by-law shall come into full force and effect on the date following its final passage.

**DONE AND PASSED** as a By-law of the Town of Minnedosa by the Council, assembled in the Council Chambers this 13<sup>th</sup> day of February A.D 2024.

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Mayor

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Chief Administrative Officer

Read a first time this 23<sup>rd</sup> day of January A.D. 2024  
Read a second time this 23<sup>rd</sup> day of January A.D. 2024  
Read a third time this 13<sup>th</sup> day of February A.D. 2024