

# **RURAL MUNICIPALITY OF COLDWELL**

## **BY-LAW NO. 02/2021**

### **BEING A BY-LAW TO GOVERN THE ORGANIZATION OF THE RURAL MUNICIPALITY OF COLDWELL AND THE COMMITTEE THEREOF.**

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**WHEREAS** Section 148(1) of The Municipal Act provides that a Council must establish by by-law an organizational structure for the municipality and review the by-law at least once during the term of office.

**THEREFORE BE IT RESOLVED** that the Council of the Rural Municipality of Coldwell, in open meeting assembled, enacts as follows:

#### **TITLE**

1.0 This by-law may be referred to as "the Rural Municipality of Coldwell Organizational By-Law."

#### **ROLE OF COUNCIL**

- 2.0 Council is responsible
- a) for developing and evaluating the policies and programs of the municipality;
  - b) for ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
  - c) for carrying out the power, duties and functions expressly given to the council under this or any other act.

#### **GENERAL DUTIES OF MEMBERS**

- 3.0 Each member of council has the following duties:
- a) to consider the well-being and interests of the municipality as a whole and to bring to the council's attention anything that would promote the well-being or interests of the municipality;
  - b) to participate generally in developing and evaluating the policies and programs of the municipality;
  - c) to participate in meetings of the council and of council committees and other bodies to which the member is appointed by the council;
  - d) to keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the committee decides to keep confidential until the matter is discussed at a meeting to the council or of a committee conducted in public;
  - e) to perform any duty or function imposed on the member by the council by this or any other Act.

#### **COMMITTEES**

- 4.0 The general duties of committees shall be as follows:
- a) To submit written or oral reports 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 to give effect to the reports of recommendations that are adopted by council.
  - b) To prepare and introduce to council all such by-laws as may be necessary to give effect to the reports of recommendations that are adopted by council.
  - c) To consider and report respectively on any and all matters referred to them by council.
- 4.1 The following committees are hereby established as Committees of Council:
- a) Legislative and Finance Committee –all are appointed
  - b) Personnel and Policy Committee- all are appointed
  - c) Protective Services Committee- all are appointed
    - i) Fire Services – with 2 members designated
  - d) Transportation Services Committee-all are appointed with a chairman & alternate appointed

- e) Environmental Health Services Committee
  - i) Cemetery- with all members as well as citizen reps
  - ii) Veterinary Services- 1 member & citizen Rep appointed
  - iii) CEWDG Board- 2 members appointed & an alternate
  - iv) Weed Inspectors- all members appointed
- f) Economic Development Services Committee
  - i) Community Futures- 1 member & citizen rep appointed
  - ii) Interlake Tourism-1 member appointed
- g) Recreational and Culture Committee
  - i) Grettir – 1 member appointed
  - ii) Lundar Library Board- 1 member appointed
  - iii) Lakeshore Recreational Commission- 1 member appointed & alternate
- h) Community Committees
  - i) West Interlake Handivan Association- 2 members appointed
  - ii) Lundar Community Resources Council- 1 member appointed
  - iii) Health Care Reserve Commission-Reeve, 1 member , 3 citizen reps appointed
  - iv) LUD Committee- 1 member appointed
  - v) Health Care Board- all members appointed
  - vi) West Interlake Watershed District-3 members, 3 citizen reps appointed
  - vii) CCF – Coldwell Community Foundation- 1 member appointed
- i) Planning Committee
  - i) Western Interlake Planning Board-2 members appointed

4.2 The duties of the Committees, in addition to the aforesaid general duties, shall be as follows:

- a) Legislative and Finance Committee
  - 1) To supervise all contracts, orders, reports, recommendations and proceedings involving the expenditure of municipal funds.
  - 2) To supervise all accounts, expenditures and outlay all sums payable under contract before any monies are paid; and no account, claim or demand not expressly authorized to be paid by statute, by-law or resolution of council, shall be paid by the CAO until the same has been authorized by the Legislative and Finance committee and approved by council.
  - 3) To annually review and make recommendations on 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 other purpose relating to municipal business that the council considers appropriate.
- b) Personnel and Policy Committee
  - 1) To consider salary and wage negotiations.
  - 2) To consider requests for benefits.
  - 3) To assist with interviewing of new employees.
  - 4) To review and draft personnel policy.
  - 5) To review and draft job descriptions.
  - 6) To review and consider grievances of employees.
- c) Protective Services Committee- Fire
  - 1) To attend regular meetings of the Lundar Fire Dept.
  - 2) To interact with the Fire Chief/Deputy Fire Chief for all matters related to the operations of the fire department.
  - 3) To participate with the Chief and volunteers in the preparation of the fire department budget for submission to council.
- d) Transportation Services Committee
  - 1) To consider and report on all matters relating to municipal land, buildings and equipment, including their acquisition, maintenance and disposal.

- 2) To consider and report on all matters relating to municipal roads and their opening, closing, alerting, diverting and maintenance.
  - 3) To recommend at the beginning of each year such projects, works and matters under its control as it considers essential to be carried out during the year, together with their detailed cost.
- e) Environmental Health Services Committee
  - f) Economic Development Services Committee
  - g) Recreational and Culture Committee
    - 1) To review all applications for recreation and culture grants from organizations.
    - 2) To review the needs for recreation within the municipality.
    - 3) To consider and report on matters respecting libraries and other cultural services.
  - h) Community Committees
    - 1) To attend meetings as a representative of council and will report all matters that concern or require comment from Council.
  - i) Planning Committee
- 4.3 Prior to the first regular council meeting in each year ( Nov- Dec), the council must consider that recommendations for appointments to all Committees and other bodies of council, including naming of a chairperson, if applicable must be approved by resolution of council.
  - 4.4 A special committee of council may be appointed by resolution of council at any time specifying the business to be dealt with by the committee.
  - 4.5 An appointment to any committee of council may be repealed only by a resolution of the council.

#### **HEAD OF COUNCIL**

- 5.0 The head of council for the Rural Municipality of Coldwell is to have the title of Reeve.
- 5.1 At the first regular meeting of council in each year, council must by resolution, appoint a councilor as Deputy Reeve, who shall act in place of the Reeve when he is unable to carry out the powers, duties and functions of the Reeve.
- 5.2 In addition to performing the duties of a member of a council, the reeve has a duty:
  - a) to preside when in attendance at a council meeting, except where the procedures by-law or this or any other Act otherwise provides;
  - b) to provide leadership and direction to the council; and
  - c) to perform any other duty or function assigned to a Reeve by this or any other Act.

#### **YOUTH MEMBER**

- 6.0 The Council of The Rural Municipality of Coldwell may, by resolution, appoint a person with the title "Youth Member" to sit with the council and to participate in council deliberations.
- 6.1 A youth member must be less than 18 years of age but not less than 16 years of age, enrolled as a full time student at Lundar Collegiate and must be a resident of the Rural Municipality of Coldwell.
- 6.2 A youth member is not permitted to move or second any resolutions nor is the youth member counted for the purpose of deciding a vote of the council. A youth member is not allowed to participate in committee of the whole deliberations that are closed to the public.

- 6.3 The term of office for a youth member is to be established with the appointment but shall not exceed 1 year.

#### **BOARD OF REVISION**

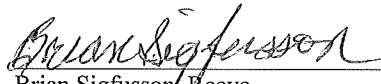
- 7.1 At the first regular council meeting in each year, council shall by resolution appoint a Board of Revision to hear assessment appeals during the year.
- 7.2 The Board of Revision shall consist of all members of the Rural Municipality of Coldwell Council. The council shall appoint a member of the Board of Revision to serve as presiding officer of the Board.

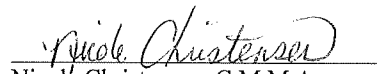
#### **SIGNING AUTHORITY**

- 8.0 Agreements and cheques and other negotiable instruments must be signed or authorized by
- a) the head of council, or the deputy head of council; and
  - b) the Chief Administrative Officer (in CAO absence, Assistant Administrator)

By-Law No. 03/2015 is hereby repealed.

**DONE AND PASSED** by the Council of the Rural Municipality of Coldwell, duly assembled at Lundar, in the Province of Manitoba this 8th day of January , 2021.

  
Brian Sigfusson, Reeve

  
Nicole Christensen, C.M.M.A.  
Chief Administrative Officer

Read a first time this	28th	day of	December	, 2020
Read a second time this	8th	day of	January	, 2021
Read a third time this	8 <sup>th</sup>	day of	January	, 2021