

MUNICIPAL CLERK'S OFFICE

TO:	Council	DIVISION: ALL
DATE:	September 1, 2020	
FILE:	N/A	
SUBJECT:	Appointments to the Assessment Review Board and Bylaw Amendments	

POLICY DIRECTION:

The *Municipal Government Act* (MGA) requires every municipality to have a local assessment review board and a composite assessment review board, collectively known as the ARB.

EXECUTIVE SUMMARY:

The ARB currently has a record number of complaints to the composite assessment review board and in-person hearings are scheduled throughout September, October, and November 2020. The ARB has five board members, including one councillor and four public members. Some members have expressed concerns about attending in-person hearings due to the ongoing COVID-19 situation and the terms of two members expire at the end of October 2020. The County is at risk of not having enough members to decide on all of the ARB's complaints by the end of the year, as required by the MGA. To ensure there are enough members to hear all complaints, Administration recommends amending *Assessment Review Boards Bylaw C-7778-2018* to expand the ARB's composition to up to nine members (currently allows for up to five members) and to allow non-Rocky View County residents to be appointed. Administration also recommends that Council appoint up to four new members to the ARB.

RECOMMENDATION:

Administration recommends approval in accordance with option #1.

BACKGROUND:

Prior to hearing complaints, ARB members must complete provincial training provided by the Municipal Government Board (MGB). The COVID-19 situation caused the MGB to cancel all of its training over the spring and summer but training will now be held at the end of September. To enable new members to complete the MGB training this September and begin participating in this year's hearings, Administration recommends that Council appoint new members ahead of the annual organizational meeting in October.

Administration advertised for new members from Rocky View County residents and reached out to members from other municipalities who already have the MGB training. Applications were received from Ian Galbraith, Jay Anderson, Lisa Skelton, Pat Rozitis, Sarita Barrett, and Brent Fermaniuk and have been provided to Council under separate cover. All of the applicants are willing to attend in-person hearings this fall and are available to take the MGB training at the end of September. If Council would like to discuss the merits of any of the applications, Administration recommends going into closed session in accordance with sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*. Council could also consider appointing more councillors to the ARB. Members can be appointed for a term of up to three years.

Section 20 of the *Boards and Committees Bylaw C-7840-2018* states that members appointed to Council's boards and committees must be residents of Rocky View County unless the board or committee's terms of reference states otherwise. If Council is interested in appointing members

from other municipalities, the *Assessment Review Boards Bylaw* needs to be amended to allow for non-Rocky View County members.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

OPTIONS:

Option # 1:

- | | |
|-----------|---|
| Motion #1 | THAT Bylaw C-8076-2020 be given first reading |
| Motion #2 | THAT Bylaw C-8076-2020 be given second reading. |
| Motion #3 | THAT Bylaw C-8076-2020 be considered for third reading. |
| Motion #4 | THAT Bylaw C-8076-2020 be given third and final reading. |
| Motion #5 | THAT _____ be appointed to the Assessment Review Board for a term expiring _____. |

Option # 2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Kent Robinson"

"Al Hoggan"

Executive Director, Corporate Services

Chief Administrative Officer

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ATTACHMENTS:

Attachment 'A': Bylaw C-8076-2020

BYLAW C-8062-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend the *Assessment Review Boards Bylaw*.

WHEREAS section 191 of the *Municipal Government Act* allows Council to amend bylaws;

NOW THEREFORE the Council of Rocky View County enacts as follows:

Title

- 1 This bylaw may be cited as *Bylaw C-8062-2020*.

Definitions

- 2 Words in this bylaw have the same meaning as those set out in the *Municipal Government Act* except as follows:
 - (1) **“Assessment Review Boards Bylaw”** means Rocky View County Bylaw C-7778-2018, being the *Assessment Review Boards Bylaw*, as amended or replaced from time to time; and
 - (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

Effect

Definitions

- 3 Add a new definition to section 2 of the *Assessment Review Boards Bylaw* with the following wording:

“**Councillor**” means a duly elected member of Council;”
- 4 Re-number and re-alphabetize the definitions in section 2 of the *Assessment Review Boards Bylaw* as necessary

Appointment of Members

- 5 Section 4 of the *Assessment Review Boards Bylaw* is amended as follows:

“At its Annual Organizational Meeting, Council appoints up to five Members for a **term up to** three years ~~term~~ and in a manner that the expiry dates of their appointments are staggered.”

- 6 Add a new section 6.1 to the *Assessment Review Boards Bylaw* with the following wording:

“Notwithstanding any other provisions in this Bylaw, if a Member’s term expires or the Member ceases to be a resident of Rocky View County before a decision is issued on a complaint heard by the Member, the Member remains a duly appointed Member for the purpose of completing the complaint hearing and issuing a decision in that complaint.”

Appointment of Chair

- 7 Section 8 of the *Assessment Review Boards Bylaw* is amended as follows:

~~“Within thirty days of the annual Organizational meeting of Council, the appointed Members of the Assessment Review Boards will convene to elect a Chair and Vice Chair for the ensuing year from among the appointed Members. If the Chair or Vice-Chair of the Assessment Review Boards has not been appointed by Council, the Members must convene within sixty days of the annual Organizational meeting of Council to elect a Chair and Vice Chair for the ensuing year.”~~

- 8 Section 8.1 of the *Assessment Review Boards Bylaw* is amended as follows:

~~“If Council has not appointed the Chair, t~~The Municipal Clerk or their designate will preside over the election of the Chair of the Assessment Review Boards.”

Remuneration

- 9 Section 10 of the *Assessment Review Boards Bylaw* is amended as follows:

~~“Remuneration and traveling expenses for Members are as set out in Rocky View County Council Policy C-221, “Council Committee Remuneration.”~~established by Council policy.”

Transitional

- 10 Bylaw C-8062-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

UNANIMOUS PERMISSION FOR THIRD READING this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed