

**CONTINUING CONSOLIDATION
BY-LAW NO. 2018-09**

AS AMENDED BY BY-LAW NO. 2024-02

Being a by-law to govern the organization of the Rural Municipality of Whitehead and the committees thereof.

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 its term of office.

THEREFORE BE IT RESOLVED that the council of The Rural Municipality of Whitehead, in open meeting assembled, enacts as follows:

TITLE

- 1.0 This by-law may be referred to as “The Rural Municipality of Whitehead 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 powers, duties and functions expressly given to the council under this or any other Act.

GENERAL DUTIES OF MEMBERS

- 3.0 Each member of a 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 of the Council or of a committee conducted in public;
 - e) to perform any other duty or function imposed on the member by the Council or this or any other Act.

COMMITTEES & BOARD REPRESENTATIVES

- 4.0 The general duties of 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 prepare and 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 respectively on any and all matters referred to them by Council.

4.1 The following committees are hereby established as the Standing Committees of council:

- a) Finance Committee
- b) Personnel Committee
- c) Fire Services Committee
- d) Machinery Committee
- e) Waste Disposal Services Committee
- f) Drainage Committee
- g) Asset Management Committee

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

a) Finance Committee

- 1) Oversight 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 a statute, by-law or resolution of Council, shall be paid by the CAO until the same has been authorized by the Finance Committee and approved by Council.
- 2) To 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.
- 3) Composition: 3 members of Council
- 4) To meet monthly

b) Personnel 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 personnel policy
- 5) To review job descriptions
- 6) To review and consider grievances of employees not satisfied by CAO
- 7) Composition: 3 Councillors
- 8) To meet quarterly

c) Fire Services Committee

- 1) To consider and report on all matters relating to the Fire Department, buildings and equipment, including their acquisition, maintenance and disposal.
- 2) Create and revise policies and procedures.
- 3) Yearly review of policies and procedures.
- 4) To meet with Fire Chief and CAO and recommend to council 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.
- 5) Composition: Reeve & 2 Council members (non-Fire Department members) and the Fire Chief of the Whitehead Fire Department.
- 6) To meet quarterly.

d) Machinery Committee

- 1) In consultation with the Public Works Foreman, to consider and report on all matters relating to equipment, including their acquisition, maintenance and disposal.
- 2) Composition: 3 members of Council
- 3) To meet quarterly

- e) Waste Disposal Services Committee
 - 1) To consider and report on all matters relating to the operation of the waste disposal site and recycling.
 - 2) Composition: 3 members of Council
 - 3) To meet quarterly
- f) Drainage Committee
 - 1) Liaison with outside boards and entities
 - 2) Watershed District
 - 3) Working with other committees
 - 4) RM planning
 - 5) Composition: 2 members of Council
- g) Asset Management Committee
 - 1) To attend workshops, seminars and information sessions with the CAO, Finance Assistant and Public Works Foreman, and aid in development of Asset Management Plan, including categorizing municipal roads.
 - 2) Composition: 3 members of Council
 - 3) To meet at least quarterly

All Committees – To recommend to council prior to the beginning of each year such matters under its control as it considers essential to be carried out during the year, together with their detailed cost.

4.3 The Reeve is “ex-officio” a member of all those Committees as set forth in Section 4.1 of this by-law with the privilege of voting thereon.

4.4 Members of Council and/or resident electors shall be appointed to represent the Municipality on Local and Regional Boards as council authorizes.

The general duties of the Board representatives shall be as follows:

- a) To report from time to time on all matters connected with the duties imposed on the Board and to recommend such action as may be deemed necessary.
- b) To prepare and 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 respectively on any and all matters referred to them by Council.
- d) To recommend to Council at the beginning of each year the funding requirements of the Board essential for the operation of the Board and the commitments of the Board.

4.5 Members of Council of the Municipality may be appointed to the local and regional boards as follows:

- a) Whitehead Elton Regional Water Cooperative – Reeve and 1 member of Council
- b) Southwest Weed District – 2 members of Council
- c) Souris Valley Rec Commission – 1 members of Council
- d) Souris Vet Board – 1 member of Council
- e) Planning District – Reeve and 1 member of Council
- f) Watershed District – 2 members of Council
- g) Assiniboine River Basin Initiative – 1 member of Council
- h) Southwest Flood Strategy – 1 member of Council

- 4.6 At the organizational Council meeting in each year, the Council must consider the recommendations for appointments to Standing Committees and other bodies of council submitted by the head of council. All appointments to Standing Committees and other bodies of council, including naming of a chairperson, must be approved by resolution of council.
- 4.7 Regular meetings of the Standing Committees may be held as determined by each Standing Committee, or as indicated otherwise in this by-law.
- 4.8 Special meeting of the Standing Committees may be called by the chairperson or by two members of the committee in the same manner as provided in The Rural Municipality of Whitehead Procedures By-law.
- 4.9 Any member of council not a member of a committee has the right to attend committee meetings but shall not be allowed to vote. With the permission of the majority of the members of the committee, a visiting member of council may be allowed to take part in any discussions.
- 4.10 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.
- 4.11 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 Whitehead is to have the title of Reeve.
- 5.1 At the organizational meeting of council in each year, council must by resolution, appoint a councillor as Deputy Reeve, who shall act in place of the Reeve when the Reeve 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 or by this or any other Act.

YOUTH MEMBER

- 6.0 The council of The Rural Municipality of Whitehead, 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 or enrolled as a full-time student at Brandon, Southwest Horizon or Fort La Bosse School Division and must be a resident of The Rural Municipality of Whitehead.
- 6.2 A youth member is not permitted to move or second any resolution 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 organizational council meeting in each year, council shall by resolution appoint a Board of Revision to hear assessment appeals during the following 12 months.

- 7.2 The Board of Revision shall consist of the Council of the Rural Municipality of Whitehead. The Council shall appoint the Reeve 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,
 - b) an annually appointed member of Council, and
 - c) the chief administrative officer.

[A.M. B/L 2024-02]

By-law No. 2108 is hereby repealed.

DONE AND PASSED by a by-law of the Rural Municipality of Whitehead in the Province of Manitoba this 11th day of March, 2019.

*Originally signed by
Allen Sutherland*

Reeve

*Originally signed by
Cindy Izzard*

Chief Administrative Officer

Read a first time this 11th day of February A.D. 2019.
Read a second time this 11th day of March A.D. 2019.
Read a third time this 11th day of March A.D. 2019.