

Appendix "A"

MOUNTAIN VIEW REGIONAL EMERGENCY SERVICES COMMISSION

BY-LAW NO. 01/01

BEING A BY-LAW OF THE MOUNTAIN VIEW REGIONAL EMERGENCY SERVICES COMMISSION RESPECTING THE APPOINTMENT OF A BOARD OF DIRECTORS AND CHAIRMAN, GOVERNING THE FEES TO BE CHARGED BY THE COMMISSION AND THE GOVERNANCE OF ADMINISTRATION OF THE COMMISSION.

WHEREAS an Order in Council of the Province of Alberta establishing the Mountain View Regional Emergency Services Commission has been approved and ordered pursuant to Part 15.1 of the *Municipal Government Act*, S.A. 1994, Chapter M-26.1, as amended.

AND WHEREAS pursuant to Part 15.1 of the *Municipal Government Act*, S.A. 1994, Chapter M-26.1, as amended (hereinafter referred to as the "Act"), the Board of the Commission must pass by-laws respecting the appointment of its directors and the designation of its Chair, governing the fees to be charged by the Commission for services and may pass by-laws respecting the provision of the Commission's services and the governance of the administration of the Commission;

NOW THEREFORE the Board of Directors of the Mountain View Regional Emergency Services Commission, duly assembled, enacts the following:

I. NAME

- 1.1 The name of the Commission shall be Mountain View Regional Emergency Services Commission.

II. DEFINITIONS

- 2.1 "Act" means the *Municipal Government Act*, S.A. 1994, Chapter M-26.1, as amended;
- 2.2 "Auditor" shall mean the person appointed annually by the Board to prepare the financial statements for the Commission's operations.
- 2.3 "Board" means the Board of Directors of the Commission;
- 2.4 "Chair" means the chairperson of the Board;
- 2.5 "Commission" means the Mountain View Regional Emergency Services Commission;
- 2.6 "Director" means the representative of a Member on the Board appointed in accordance with this by-law;

- 2.7 "*Manager*" means the person appointed by the Board to carry out the directions of the Board regarding the operation of the Commission;
- 2.8 "*Member*" means a municipal authority listed in Section 1 of the Alberta Regulation L:032/01;
- 2.9 "*Regulation*" means Alberta Regulation L:032/01;
- 2.10 "*Regular Meeting*" means the meetings of the Board to be held each year on dates and at locations to be determined by resolution of the Board;
- 2.11 "*Special Meeting*" means a meeting of the Board called in accordance with Section 8.2 of this by-law;
- 2.12 All other words in this by-law are as defined or used in Part 15.1 of the Act.

III. OBJECT

- 3.1 The object of the Commission is to provide emergency medical services and regional dispatch services to its Members or contract such services to others at the discretion of the Board;
- 3.2 The Commission may communicate and cooperate with:
- a) federal, provincial and/or municipal governments;
 - b) associations or organizations with common concerns and objectives;
 - c) individuals, businesses and/or corporations;
- 3.3 Without limiting the generality of the foregoing, the Commission may undertake such studies, research, projects and/or programs as may be deemed necessary or desirable in the furtherance of its objects.

IV. MEMBERSHIP

- 4.1 Membership is established by regulation by the Lieutenant Governor in Council as per the Act.
- 4.2 Municipal membership shall be available to urban or rural municipalities upon application and payment of the relevant costs as determined by the Commission and subject to 4.1. These member municipalities shall comprise the membership of the Commission.
- 4.3 The municipal membership year shall be the fiscal year of the Commission.

V. MANAGEMENT

- 5.1 The management of the Commission shall be vested in the Board of the Commission appointed pursuant to this by-law, the Act and the Regulations.

VI. BOARD OF DIRECTORS

- 6.1 The proceedings of the Board shall be conducted in accordance with the Act, the Regulations and this by-law. In all cases not provided for by the Act, the Regulations and this by-law, *Roberts Rules of Order* shall be followed so far as they may be applicable.
- 6.2 Subject to Section 602.04 of the Act, the Board shall consist of the following:
 - (a) one (1) representative of each Member to be appointed by the Council of each Member in accordance with Part 15.1 of the Act;
 - (b) a Director must be a Councillor of a Member.
- 6.3 Each Member shall appoint by resolution of council, from their elected council, two representatives, one of whom shall be the main representative and the other an alternate representative.
- 6.4 Appointment of Directors shall take place annually following the Organization Meeting of each member Council and be given to the Manager of the Board.
- 6.5 In the event neither the main representative nor the alternate representative can attend a meeting of the Board, the Member Council may designate another member of their council to attend the meeting of the Board and have full voting rights.
- 6.6 The Board may grant observer status to other individuals or organizations as it sees fit.
- 6.7 In the event of a vacancy on the Board, the same Member may appoint a replacement Director for the unexpired balance of the term of the Director in accordance with Part 15.1 of the Act.
- 6.8 The Directors shall elect, from amongst their number, a Chair at the first Regular Meeting of the Board following the annual organizational meetings of the Members.
- 6.9 The term of office for the Chair is one year.
- 6.10 The Board may elect, from amongst their number, a Vice-Chair at the first Regular Meeting of the Board following the annual organizational meeting of the Members.
- 6.11 The term of office for the Vice-Chair is one year.
- 6.12 The Directors shall receive for attendance at any Board meeting or carrying out any Director responsibilities, meeting fees established by the Board from time to time and any expenses, including mileage permitted by the Board.

VII. DUTIES OF THE BOARD

- 7.1 The Board shall be responsible for the management and conduct of the affairs of the Commission.
- 7.2 The Board shall formulate programs, policies, procedures, rules and regulations concerning all aspects of the affairs of the Commission in accordance with the Act.
- 7.3 The Board's obligations to oversee the operations of the Commission shall include, but not be limited to, the following:
- (i) to approve an operating and capital budget presented by the Manager for the forthcoming year and prior to December 31st of each year.
 - (ii) to maintain the operations of the Commission in a manner which benefits the Members;
 - (iii) to safeguard the storage and use of the seal of the Commission; and
 - (iv) to maintain the minute books and financial records of the Commission and to make the same available to the Members;
 - (v) to appoint an auditor.
- 7.4 The Commission shall at the end of each fiscal year end provide an annual report of its affairs to:
- a) each Member; and
 - b) the Minister.
- 7.5 An annual report referred to in Section 7.4 shall include:
- a) An audited financial statement in the form prescribed by the Regulations for the immediately preceding fiscal year;
 - b) A summary of the affairs of the Commission for the immediately preceding fiscal year;
 - c) Any other information that the Minister requires.
- 7.6 The Board may appoint such committees consisting of its Members or of other persons or any combination thereof as it may deem expedient for the furtherance of the objects of the Commission and in so doing may delegate any of its powers or duties except those powers that may not be delegated pursuant to Part 15.1 of the Act and prescribe such terms of reference as it may deem fit.
- 7.7 The Board may enter into contracts with any person, corporation, municipality or authority for the provision of any service or commodity necessary for the efficient operation of the Commission.

- 7.8 The Board may provide or arrange to provide such accommodation, equipment and supplies as may be deemed necessary for the operation of the Commission.
- 7.9 The Board shall establish and publish rules and rates for the reimbursement of actual expenses incurred on Commission business by Directors, employees or any other person.
- 7.10 The Board shall establish and publish rules and procedures for the submission and consideration of resolutions at Regular or Special Meetings.
- 7.11 The Board shall in each year authorize the Manager to charge fees for the services provided, based on volume of demand, against all consumers sufficient to produce the sums necessary to meet the estimated operating expenditures of the Commission. Any deficit incurred in one year shall become the first item of expenditure in the following year.

VIII. REGULAR AND SPECIAL MEETINGS

- 8.1 The Board, by resolution, may establish the date and number of Regular Meetings held during a year; however, there shall be not less than four (4) Regular Meetings per year.
- 8.2 The Chair or any three of the Directors may call a Special Meeting of the Board upon no less than forty-eight (48) hours' written notice to each Director except that written notice may be sent to the municipal offices of each Director and a waiver may be signed by the Director.
- 8.3 The Chair shall preside over all Regular Meetings, and Special Meetings of the Board.
- 8.4 The Chair shall vote on all matters before the Board.
- 8.5 In the absence of the Chair at any meeting, the Vice-Chair shall preside over the meeting for that meeting only. In the absence of a Chair or a Vice-Chair, the Directors in attendance shall appoint an acting Chair for that meeting only.
- 8.6 Any matter, except the amendment of this by-law, shall be decided by the majority vote of the Directors in attendance at the Board meeting.
- 8.7 A quorum at any meeting of the Commission shall consist of one half (1/2) the Members plus one (1).
- 8.8 Voting at the Commission's meetings shall be (1) vote per Member.
- 8.9 The Chair or the Manager shall establish the agenda for any meeting of the Board. A matter may be added to or deleted from the agenda of any meeting of the Board by the Board. A Member may place an item on the agenda by submitting a written request to the Manager at least forty-eight (48) hours before the meeting.

IX. OFFICERS

- 9.1 The Manager shall be the custodian of the records, funds, securities or properties of the Commission and shall receive and account for all funds and properties in accordance with such rules as the Board of Directors may adopt and in accordance with appropriate governing legislation.

X. ADMINISTRATION

- 10.1 The Chair or Vice-Chair, along with the Manager or the Assistant Manager, shall have signing authority.
- 10.2 The Manager shall have custody of the Corporate Seal. Whenever used, any two of the Chair, Vice-Chair or the Manager shall authenticate the Seal.
- 10.3 Members acting reasonably shall have the right to inspect and may obtain extracts or copies of all books and records of the Commission.

XI. SERVICE FEE

- 11.1 The aggregate annual service fees charged by the Commission to its Members and Non-Members shall not be less than the estimated aggregate amount required to cover all costs or other commitments of the Commission less any grants, transfers from reserves, interests, rents and other revenue.
- 11.2 The Board shall establish all service fees by by-law and approve at the time the annual budgets for the Commission are approved.

XII. FISCAL YEAR

- 12.1 The fiscal year of the Commission is the calendar year.

XIII. BOOKS AND RECORDS

- 13.1 The Commission shall cause to be kept correct books and records as be required by Part 15.1 of the Act including:
- a) minutes and records of proceedings of meetings;
 - b) membership and voting delegate lists; and
 - c) records of accounts
- 13.2 Every Member shall at all reasonable times have access to and the right of inspection of all books and records of the Commission.

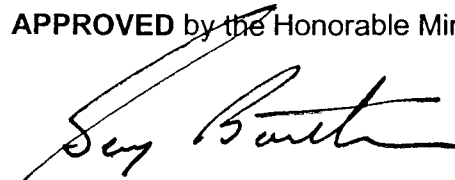
XIV. AMENDMENTS

- 14.1 The Board may pass an amendment to this by-law provided that there is a two-third majority of the Directors.
- 14.2 Written notice of a proposed amendment to this by-law shall be provided to each Member not less than 15 days in advance of the meeting at which the amendment is to be considered.

XV. EFFECTIVE DATE AND REPEAL

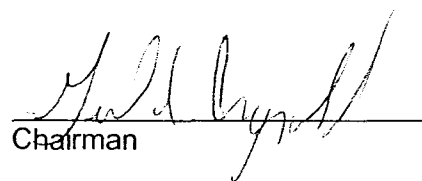
- 15.1 This by-law shall come into force and effect upon the date of approval of the Minister of Municipal Affairs.

APPROVED by the Honorable Minister of Municipal Affairs this 23 day of July, 2001.

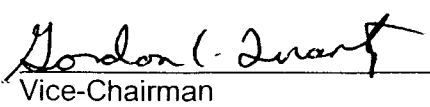


**THE HONOURABLE MINISTER
OF MUNICIPAL AFFAIRS**

Approved by the Board of Directors for Mountain View Regional Emergency Services.



Chairman



Vice-Chairman