

**BYLAW 43-2021**  
**AGRICULTURAL SERVICE BOARD BYLAW**

Section 145 of the *Municipal Government Act*, RSA 2000, c M-26 ("Municipal Government Act"), allows a council to pass bylaws in relation to the establishment and function of council committees and other bodies;

Section 2 of the *Agricultural Service Board Act*, RSA 2000, c A-10, sets out the duties of an agricultural service board;

Section 14(4) of the *Weed Control Act*, SA 2008, c W-5.1, provides that an inspector's notice must not require the destruction of more than 20 acres of growing crops unless the local authority of the municipality in which the crops are growing has consented in writing;

Section 203 of the *Municipal Government Act* allows council to delegate, by bylaw, any powers, duties, or functions under any enactment to a council committee;

Section 7(1) of the *Soil Conservation Act*, RSA 2000, c S-15, provides that where a notice is served on a person under section 4, that person may appeal the notice to the appeal committee appointed for the municipality in which the land is located by serving on the local authority for the municipality a notice of appeal;

Therefore Council enacts:

**PART I – PURPOSE, DEFINITIONS, AND INTERPRETATION**

- |             |  |
|-------------|--|
| Purpose     | 1 The purpose of this bylaw is to establish a council committee named the Agricultural Service Board, and to prescribe a mandate, terms of reference, composition and procedural rules for the Board.  |
| Definitions | 2 In this bylaw: <ul style="list-style-type: none"><li>(a) "Administrative Representative" means the member of administration appointed by the Chief Commissioner or delegate to provide administrative support to a committee;</li><li>(b) "Board" means the Agricultural Service Board;</li><li>(c) "Chair" has the same means as in the Meeting Procedures Bylaw;</li><li>(d) "Chief Commissioner" means the chief administrative officer of the County or delegate;</li><li>(e) "Council" means the City Council of Strathcona County;</li></ul> |

- (f) "Councillor" means a Councillor of Strathcona County;
- (g) "County" means the municipal corporation of Strathcona County, a specialized municipality established under the authority of the *Municipal Government Act*, RSA 2000, c M-26 and Order in Council 761/95;
- (h) "Ex-officio" means membership by virtue of one's office. Ex-officio members do not form part of the quorum;
- (i) "Mandate Letter" means the letter provided from council to advisory committees setting out the specific priorities tasked to the advisory committee for the upcoming two-year period;
- (j) "Mayor" means the Chief Elected Official of the County;
- (k) "Public Member" means an individual who is not a member of Council and is appointed by Council to a committee, board or agency; and
- (l) "Vice Chair" means the individual elected annually to fulfill the Chair's duties in the absence of the Chair.

Interpretation

- 3 The following rules apply to interpretation of this bylaw:
  - (a) headings and margin notes in this bylaw are for ease of reference only;
  - (b) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
  - (c) every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid by a Court, all other provisions of this bylaw remain valid and enforceable; and
  - (d) references to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder.

## **PART II – ESTABLISHMENT, MANDATE, AND TERMS OF REFERENCE**

- Establishment            4    The Agricultural Service Board is established as a council committee.
- Mandate                    5    The mandate of the Board is to:
- (a) provide advice to Council on agricultural matters generally;
  - (b) comply with the duties as set out in the *Agricultural Service Board Act*, RSA 2000, c A-10 or any replacement thereof;
  - (c) serve as an appeal body for appeals made pursuant to the *Soil Conservation Act* RSA 2000, c S-15 or any replacement thereof; and
  - (d) make decisions and provide written consent on behalf of the County on the destruction of growing crops greater than 20 acres as set out in the *Weed Control Act* SA 2008, c W-5.1 or any replacement thereof.
- Terms of Reference      1    In order to fulfill its mandate, the Board may:
- (a) identify and engage stakeholder groups and seek their input on the work of the Board;
  - (b) conduct research and prepare reports on issues or opportunities related to agriculture in Strathcona County; and
  - (c) provide advice to Council on County policies, programs, or services that impact economic development and tourism.

## **PART III – MEMBERSHIP**

- Members                  2    The Board will be comprised of:
- (a) no less than five and up to seven Public Members;
  - (b) two members of Council; and
  - (c) one alternate member of Council.

- |                                  |   |
|----------------------------------|---|
| Public members                   | 3 Public Members must be residents of Strathcona County.  |
|                                  | 4 Public Members must not have been employed by Strathcona County for a minimum of 12 months prior to applying for a Public Member position.                              |
|                                  | 5 Public Members are voting members.  |
| Councillors                      | 6 Councillors appointed to the Board are non-voting members.  |
|                                  | 7 When making appointments to the Board, Council will consider familiarity with agricultural issues relevant to the County.   |
| Vacancy                          | 8 If a vacancy occurs before the expiration of a term, the Public Member appointed to fill the vacancy will hold office for the remainder of that term.                   |
| Mayor                            | 9 The Mayor is an Ex-officio member of the Board and is a non-voting member.  |
| Termination                      | 10 A Public Member's appointment is terminated if the Public Member misses three meetings in a twelve-month period without the consent of the Board by way of resolution. |
|                                  | 11 Council may, for any reason, remove a Public Member by resolution.   |
| Election of chair and vice-chair | 12 The Board will annually elect a Chair and Vice-chair from its voting members.  |

**PART IV – PROCEDURES**

- |                         |   |
|-------------------------|---|
| Regular annual meetings | 13 The Board will: <ul style="list-style-type: none"> <li>(a) establish an annual meeting schedule that specifies the date, time, and place of all regular Board meetings;</li> <li>(b) provide the annual meeting schedule to the Chief Commissioner; and</li> <li>(c) post the annual meeting schedule on the Board's webpage to provide notice to the public.</li> </ul> |
| Additional notice       | 14 No additional notice of regularly scheduled meetings is required.  |

- Special meetings      15 The Chair may call a special meeting by giving at least 24 hours' notice to:
- (a) the members of the Board by email; and
- (b) the public by posting a notice on the Board's webpage.
- 16 The Board may vote to change the date, time, or place of a scheduled meeting as long as the Board provides at least 24 hours' notice of the change to the Board members and the public.
- Quorum                    17 A majority of the voting members will constitute a quorum at a Board meeting.
- Procedures              18 The Board will follow the meeting procedures set out in the Strathcona County Meeting Procedures Bylaw.
- Public meetings        19 Board meetings will be held in public unless the meeting is closed for reasons permitted by the Municipal Government Act.

## **PART V – ANNUAL WORK PLAN AND REPORTING**

- Annual work plan      20 The Board will develop an annual work plan that identifies key priorities and goals based on its mandate, terms of reference, and Mandate Letter.
- Reports to Council or Priorities Committee      21 The Board may provide reports which include recommendations on matters related to the Board's mandate and terms of reference to the Priorities Committee or Council as appropriate.
- Annual report            22 At least once per year, the Board will report to the Priorities Committee on the following:
- (a) review of its work plan;
- (b) update on progress and initiatives; and
- (c) any information or recommendations on issues and matters within its mandate.

**PART VI – ADMINISTRATIVE REPRESENTATIVE**

Administrative Representative

- 23 The Chief Commissioner will appoint an Administrative Representative to the Board.
- 24 The Administrative Representative is not a member of the Board and cannot vote on any matter before the Board.
- 25 The Administrative Representative will perform the following duties and functions for the Board:
  - (a) publish the Board’s meeting schedules and notices;
  - (b) provide technical, administrative, meeting space, meeting management and other supports to the Board as required for its meetings;
  - (c) manage the Board’s minutes and records;
  - (d) provide County information or records to the Board about matters within its mandate if requested, subject to *Freedom of Information and Protection of Privacy Act* and other confidentiality requirements; and
  - (e) facilitate the preparation of Board reports to Council or Priorities Committee.

**PART VII – EFFECTIVE DATE**

Effective date 26 This bylaw comes into effect on October 18, 2021.

FIRST READING: September 14, 2021

SECOND READING: September 14, 2021

THIRD READING: September 14, 2021

SIGNED THIS 29th day of September, 2021.

Rod Frank

---

MAYOR

Mavis Nathoo

---

DIRECTOR, LEGISLATIVE AND LEGAL SERVICES