

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
CHIEF ADMINISTRATIVE OFFICER RECRUITMENT AND EVALUATION COMMITTEE
Bylaw 17/2023
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A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A COMMITTEE FOR THE PURPOSE OF RECRUITMENT AND EVALUATION OF THE CHIEF ADMINISTRATIVE OFFICER AND TO RECEIVE FORMAL COMPLAINTS UNDER THE CODE OF CONDUCT.

WHEREAS, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, (MGA), and amendments thereto, provides that Council may pass bylaws in relation to the establishment and functions of council committees and other bodies;

WHEREAS, pursuant to section 205(1) of the *MGA*, Council must establish by bylaw a position of Chief Administrative Officer (CAO);

WHEREAS pursuant to section 205.1 of the *MGA*, Council must provide the CAO with an annual written performance evaluation with respect to fulfilling the CAO's responsibilities under section 207 of the *MGA*;

AND WHEREAS pursuant to section 146.1 of the *MGA* Council must, by bylaw, establish a Code of Conduct governing the conduct of Councillors;

NOW THEREFORE, the Municipal Council of Morinville, Alberta hereby enacts as follows:

1.0 BYLAW TITLE

1.1 This Bylaw will be called the Chief Administrative Officer Recruitment and Evaluation Committee Bylaw.

2.0 PURPOSE

2.1 The purpose of this Bylaw is to establish a Committee of Council named the Chief Administrative Officer Recruitment and Evaluation Committee, and to prescribe a mandate, terms of reference, composition and procedural rules for that Committee.

3.0 DEFINITIONS

In this Bylaw, unless the context otherwise requires:

7.1 "Act" means the Municipal Government Act, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation hereto.

Mayor

CAO

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- 7.2 "Chief Administrative Officer" (CAO) means the Chief Administrative Officer of the Town of Morinville appointed pursuant to s. 205(1) of the Act or the designate of the Chief Administrative Officer.
- 7.3 "Committee" means the Chief Administrative Officer Recruitment and Evaluation Committee, established by this Bylaw.
- 7.4 "Council" means the municipal council of the Town of Morinville.
- 7.5 "Council Code of Conduct Bylaw No. 3/2022" means the Bylaw passed by Council on May 10, 2022.
- 7.6 "Morinville" means the Town of Morinville.

4.0 ESTABLISHMENT

- 4.1 The Chief Administrative Officer Recruitment and Evaluation Committee is hereby established as a committee of Council.

5.0 MANDATE

- 5.1 The mandate of the Committee is that it shall investigate and take action in regard to matters pertaining to:
- 5.1.1 Recruitment of the CAO;
 - 5.1.2 Council and CAO relations, including performance evaluation and management.
 - 5.1.3 Receipt of complaints filed under the Council Code of Conduct, and complaint management inclusive of appointment of an independent third-party adjudicator or investigator as may be required in accordance with the Council Code of Conduct Bylaw No. 3/2022.

6.0 MEMBERSHIP

- 6.1 The Committee shall be comprised of Council members as follows:
- 6.1.1 The Mayor; and
 - 6.1.2 Two members of Council appointed annually.
- 6.2 Resources:
- 6.2.1 Morinville's Legislative Services will be designated as the representative to assist the Mayor, Committee and Council in guiding

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activities related to this Committee, and to provide administrative support, if required.

7.0 ROLES AND RESPONSIBILITIES

7.1 Guiding Principles:

7.1.1 All Committee work will be carried out in accordance with:

7.1.1.1 The *Municipal Government Act* and other governing legislation.

7.1.1.2 The Chief Administrative Officer Bylaw No. 11/2019.

7.1.1.3 The Complaint Processes set out in the Council Code of Conduct Bylaw 3/2022.

7.1.1.4 Council Policies and Procedures, including those related to CAO Performance Evaluation.

7.2 Committee Scope 1:

In consultation with the CAO the Committee shall oversee, make recommendations and report to Council on:

7.2.1 Matters pertaining to CAO relations including:

7.2.1.1 Recruitment and selection of the CAO.

7.2.1.2 Establishing annual performance objectives for the CAO.

7.2.1.3 Annual CAO Performance Evaluation processes and outcomes.

7.2.1.4 Interpersonal matters between the CAO and Council.

7.3 Committee Scope 2:

The Committee shall oversee, make recommendations and report to Council on:

7.3.1 Matters pertaining to the filing of formal complaints under the Council Code of Conduct Bylaw No. 3/2022, including:

7.3.1.1 Receipt of the complaint

7.3.1.2 Investigation of the complaint

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- 7.3.1.3 Appointment of an Adjudicator or Investigator, if required.
- 7.3.1.4 Outcome of the investigation.
- 7.3.1.5 Sanctions, if any.

7.4 Stakeholder Roles:

7.4.1 Committee Chair: The Mayor will be designated as the Chair and specific roles and responsibilities include:

- 7.4.1.1 Working with Legislative Services to ensure the coordination of all Committee matters related to the CAO section of this Bylaw.
- 7.4.1.2 Receipt of complaints under the Council Code of Conduct Bylaw No. 3/2022.
- 7.4.1.3 Present findings and recommendations to Council.
- 7.4.1.4 Working with Legislative Services to ensure the confidentiality of material distributed to the Committee and Council.

7.4.2 Committee Member: Specific roles and responsibilities include:

- 7.4.2.1 Consulting with the CAO and developing an annual work plan
- 7.4.2.2 Receipt of complaints under the Council Code of Conduct Bylaw No. 3/2022.
- 7.4.2.3 Reading all agenda material and seeking clarification from the Chair on any matters prior to meetings to make the most effective use of the Committee's time.
- 7.4.2.4 Attending meetings and participating fully in all Committee work.

7.4.3 CAO: Specific roles and responsibilities include:

- 7.4.3.1 Providing advice to the Committee on evaluation, as required.
- 7.4.3.2 Preparing a summary of accomplishments based on the approved performance objectives for the evaluation period.
- 7.4.3.3 Preparing objectives for the approval of Council for the coming evaluation period.

Mayor

CAO

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7.4.3.4 Attending meetings at the request of the Chair.

7.4.4 Legislative Services: Specific roles and responsibilities include:

7.4.4.1 Providing advice and support including agenda creation and minute taking for the Committee, if required.

7.4.4.2 Attending meetings at the request of the Chair.

8.0 SEVERABILITY

8.1 If any Section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

9.0 EFFECTIVE DATE

9.1 This Bylaw shall come into force and effect when it receives third reading and is duly signed.

READ a first time in Council this 11th day of July, 2023.

READ a second time in Council this 11th day of July, 2023.

READ a third time in Council and finally passed this 18th, day of July, 2023.

ORIGINAL SIGNED

Simon Boersma
Mayor

ORIGINAL SIGNED

Naleen Narayan
Chief Administrative Officer