

Foothills County and Town of Okotoks INTERMUNICIPAL COMMITTEE Terms of Reference

1.0 Background and Context

Initially, the mandate of the Foothills County / Town of Okotoks Intermunicipal Committee (IMC) ("the Committee") had been informally outlined. There was a reference to the Committee and its role and composition included in an appendix of the Intermunicipal Development Plan (IDP) approved in the fall of 1998 by Councils from both municipalities.

The 1998 appendix labelled "Part II – Background" in the IDP indicated that although the Committee had no official legislative status or decision-making authority Committee members were encouraged to share information, discuss matters of intermunicipal concern and make recommendations to the respective Councils of the two municipalities.

The Committee played a key role in the preparation of the 1998 IDP as well as the current IDP, which was adopted by both Councils in July 2016. The Committee has continued to meet on a regular basis and have successfully negotiated agreements regarding annexation, joint services and numerous other intermunicipal matters.

2.0 Purpose

The purpose of the Committee is to facilitate the working relationship between the two municipalities, the ongoing sharing of information between elected officials and municipal staff and to provide a forum in which to review and comment on a range of topics of interest to both municipalities. The Committee forms an integral role in the conflict resolution process on matters that cannot be resolved at the staff/administration level.

3.0 Objectives

The objectives of the Intermunicipal Committee include:

- a. Establishing working relationships for the purpose of implementation of mutual goals;
- b. Maintaining positive intermunicipal relations while also playing an important role in the resolution of any intermunicipal conflicts that may arise;
- c. Better understanding each other's strategic interests;
- d. Providing direction on lands of mutual interest;
- e. Cooperatively interfacing on Provincial matters; and
- f. Creating long term strategic plans, processes and programs that benefit residents of both municipalities and the region.

4.0 Role of the Committee

There are a number of activities that fall within the mandate of the Committee:

- a. Sharing information, communicating concerns and ensuring continued cooperative relations between the two municipalities;
- b. Undertaking conflict resolution utilizing interest based resolution processes;
- c. Managing conflicting positions and building trust and partnership while striving to respect viewpoints and differences between the two municipalities;
- d. Developing joint solutions to challenges, standing together as one voice and supporting one another on matters that impact both municipalities;
- e. Overseeing implementation of, and amendments to the Intermunicipal Development Plan;
- f. When assigned by respective Councils, acting as the Annexation Negotiation Committee for the purposes of negotiating matters of Annexation;
- g. Providing Committee recommendations to respective Councils on various Intermunicipal matters.

5.0 Scope

The following are examples of topics of current interest, but it is acknowledged that the Committee is able to address any item that is of interest to Committee members and is of an intermunicipal nature:

- a. Provincial and regional planning initiatives;
- b. Sub regional matters;
- c. Intermunicipal planning;
- d. Intermunicipal servicing strategies;
- e. Transportation planning – including roads, pathways and public transit;
- f. Matters regarding growth management and annexation of land;
- g. Environmental issues; and;
- h. Shared Servicing and Cost sharing strategies;

6.0 Constraints

The Committee has no official legislative status or decision-making authority but can provide recommendations to each Council, as well as give direction to respective staff.

7.0 Membership

7.1. Number of Representatives

Up to a maximum of three (3) elected members of each municipality should be appointed by each of the two Councils for membership on the Committee. When an appointed Committee member from a municipality is unable to attend, any other member of that Council may attend as an alternate in their place. Only elected representatives of Foothills County and the Town of Okotoks are considered Committee members.

7.2. Co-Chairs

Each Council will appoint one nominee each for the positions of Co-Chair and Alternate Co-Chair.

Co-chairs should be acknowledged by the Committee at the first Committee meeting after each municipality holds their respective organizational meetings.

In the absence of either Co-Chair the designated Alternate from that municipality will chair in their absence. Should both the appointed Co-Chair and Alternate Co-Chair from one municipality be absent, the Co-Chair or Alternate from the other municipality may assume the duty of Chair at the discretion of the Committee.

7.3. Administrative Support

Administration from each municipality is assigned to support the work of the Committee. Administrative support persons are not considered Committee members.

7.4. Guests of the Committee

The Committee may invite guests to present and/or contribute at Committee meetings. Guests may be private consultants, staff or other Council members from the respective municipalities, representatives of organizations, the Province, other municipalities or special interest groups. Guests are not considered Committee members.

7.5. Staff Support

Staff members from each municipality are assigned to support the work of the Committee. Staff may be required to take meeting notes, present, contribute and provide updates and information at Committee meetings, however they are not considered Committee members.

8.0 General Operating Principles

8.1. Scheduling Meetings

All efforts should be made to hold a minimum of four meetings per year however; on-going monthly scheduled meetings are encouraged. "Special meetings" may be requested by either Municipality. Special meeting requests should be submitted to the CAO of either the County or the Town, who will have the authority to direct staff to organize a meeting at the earliest date possible. Requests for cancellation of meetings should also be submitted to the CAO of either municipality in writing with reasons for the cancellation. The matter can then be directed to administration to reorganize the meeting and contact all appropriate members and guests of the meeting cancellation.

8.2. Chairing Meetings

Meetings will be co-chaired by elected County or Town representatives on an alternating basis (one time the County will Chair, the next time the Town will Chair the meeting).

8.3. Meeting Locations

Meetings will generally be held at alternating Municipal administration buildings. However, meetings may be held at any location deemed appropriate by the Committee members.

Meetings of the committee may be held virtually when deemed appropriate by the CAOs of both municipalities. Virtual meetings must be live-streamed to allow for public access.

Live-stream recordings will be made available for viewing through each Municipality's website in accordance with their respective record management policies.

8.4. Public Accessibility

8.4.1 Advertising Meetings

The Committee meetings will be advertised in accordance with the requirements of the MGA by each respective municipality in a manner of their choosing.

8.4.2 Closed Sessions

In accordance with the MGA, the Committee members may choose to close all or part of a meeting to the public. The Committee must pass a motion to go in to closed session.

8.5 Annexation Negotiation Committee

As indicated in Section 4.0, the Committee may act as the Annexation negotiation Committee (ANC) for the purposes of negotiating matters of annexation when appointed by their respective councils to do so. When the Committee wishes to act as the ANC they need not hold a separate meeting, but may pass a motion to act as the ANC for a portion of a meeting and then make a second motion to revert back to the Committee for the remainder of the meeting.

9.0 Roles and Responsibilities

9.1. Chair

The Chair of a meeting will be responsible for ensuring that parliamentary procedure is followed utilizing Roberts Rules of Order.

The exception would be that motions only require one mover, (no seconder is required).

9.2. Committee Members

Each Committee member is responsible for attending scheduled meetings, representing the interests of their municipalities, working cooperatively to resolve conflict and define solutions to challenges facing the Committee.

9.3. Administration

One or two primary staff members from each municipality are assigned by each Municipality to assist and support the objectives of the IMC. The primary IMC staff member(s) is/are responsible for hosting alternate meetings. Staff from the host municipality will:

- a. Prepare agendas and information packages for Committee members and circulate the same one week in advance of a meeting,
- b. Ensure appropriate personnel are available to provide presentations to the Committee to facilitate discussion of agenda items.
- c. Record meeting notes during the meeting. Within approximately one week of the meeting, the meeting notes are circulated to the partner staff member of the other municipality for comments and changes, requesting all changes back to the author within approximately one week. At the completion of the staff level review, the hosting staff member will provide the draft notes to the partner staff member for distribution to Committee members, one week prior to the next meeting.
- d. Prepare for all anticipated components of the meeting in order that the meetings are efficient and well run.

In addition to the duties associated with hosting meetings, the primary staff members may be assigned by the Committee to work independently or jointly to prepare projects, presentations, written correspondence and proposals on behalf of the Committee. Primary staff members from each municipality are responsible for maintaining a complete record of undertakings of the IMC.

10.0 Governance

10.1. Quorum

Quorum is defined as a minimum of two (2) Committee members from each Municipality in attendance at an Intermunicipal Committee Meeting.

10.2. Quorum Required

Quorum is required before the Chair can open an Intermunicipal Committee Meeting.

10.3. Decision Making

While the IMC is not a legislative body, it must make decisions, provide direction to staff and give recommendations to Councils. Decisions are made by voting, and the desired result is a consensus position. Where a consensus position on a motion for a decision or a recommendation to Councils cannot be achieved, the decision or recommendation must include an explanation of the dissenting position. All direction to staff should be based on a consensus position of the Committee in order to avoid confusion and to ensure that staff time is used efficiently.

10.4. Voting

Voting is done by a show of hands. If the motion is not supported unanimously, the Committee members must decide if they can proceed with the motion, if the matter requires more discussion or if it should be revisited at a later date. When all efforts have been exhausted to achieve consensus, a motion may stand, but must include the dissenting position.

Alternatively, the Committee may wish to commence with the protocol associated with Conflict Resolution.

10.5. Conflict Resolution

The Committee is encouraged to use the Conflict Resolution protocols outlined the Intermunicipal Development Plan, to resolve any disagreements that may occur. .

11.0 Information Management

11.1. Recording of Proceedings

- a. Staff of the municipality chairing/hosting the meeting is responsible for drafting meeting notes, the distribution of notes and agendas, and the general administrative co-ordination of meetings.
- b. Committee members and staff can suggest changes to the draft meeting notes to the author in advance of the next IMC meeting or to the Committee members at the IMC meeting. All suggested changes will be contemplated by the Committee members in advance of approving the Draft Notes. Once the Draft Notes have been approved, they will be marked as *Approved Meeting Notes* and become part of the public record.

11.2. Retention of records

Staff from both municipalities will co-ordinate and retain Committee records including agendas and minutes.

11.3. Internal Communication

- a. Staff shall provide advisory support to the Committee, including background information, resources and advice to Committee members to assist them in their role.
- b. All meeting notes and other communications internal to the Committee should be distributed by staff to Committee members in a timely manner.
- c. Staff shall maintain a record of all internal communications. Draft notes are not part of the IMC record; all approved notes are part of the IMC record.

- d. The record of the Committee's communications and approved meeting notes shall be made available for review by the public upon request.

11.4. External Communications

11.4.1 Recommendation to Council:

All recommendations to Councils as well as minutes of the matter at Council meetings should be distributed by staff to Committee members in a timely manner. Staff shall maintain a record of Recommendations to Councils, decisions and minutes regarding IMC business.

11.4.2 Communications with other external groups, such as the press, the public, NGO's, or provincial government departments:

Committee members may direct staff to prepare letters, information packages / notices, presentations, host public meetings on IMC business. The development of a graphic showing logos and information from both Municipalities may be undertaken in order to facilitate communications on behalf of the IMC.

11.5. Information received by the Committee

Studies, surveys, projects and other information as directed by the Committee members or considered by either members or staff as of interest to the Committee shall be collected and distributed by staff to Committee members in a timely manner and shall be maintained as part of the IMC record for future reference.

12.0 Costs and Budget

All costs associated with the Committee shall be jointly shared between the municipalities. After the first organizational meeting, Committee members will confer with their respective Councils regarding the size and origin of their portion of the IMC budget. Each Council shall decide which types of spending the IMC has the authority to approve and which items shall require approval by the respective Councils.

13.0 Maintenance and Refinement of Terms of Reference

13.1. Maintenance of the Terms of Reference

These Terms of Reference shall be maintained by staff.

13.2. Review of the Terms of Reference

These Terms of Reference shall be reviewed at the first meeting following the start of a new political term or when Committee membership changes.

13.3. Amendments to the Terms of Reference

Amendments to these Terms of Reference may be proposed by the Committee, through staff, to each respective Council. The Terms of References may only be changed by mutual decision of the respective Councils.