

AGENDA
SPECIAL MEETING
NOVEMBER 15, 2019

CALL TO ORDER:

INTRODUCTION OF LATE ITEMS: - Resolution required to add late items, if any

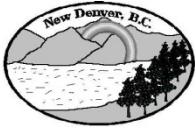
ADOPTION OF AGENDA: - Resolution to adopt the Agenda for the November 15, 2019, Special Meeting.

NEW BUSINESS:

- Officer's Designation Bylaw No. 726, 2019
- Appointment of CFO

ADJOURNMENT:

- Resolution to adjourn the meeting at ___ p.m.



The Corporation of the Village of New Denver

P.O. Box 40, New Denver, BC V0G 1S0 • office@newdenver.ca

PHONE (250) 358-2316 • FAX (250) 358-7251

TO: Mayor and Council
FROM: Corporate Officer
SUBJECT: Municipal Officers Bylaw No. 726, 2019
DATE: November 14, 2019

OPTIONS:

1. **Proceed with final adoption to Municipal Officers Bylaw No. 726, 2019**
2. Do not proceed with final adoption of Municipal Officers Bylaw No. 726, 2019

RECOMMENDATION: That Municipal Officers Bylaw No. 726, 2019 be finally adopted.

BACKGROUND: Municipal Officers Bylaw No. 726, 2019 replaces Village of New Denver Officers Designation and Establishment Bylaw No. 683, 2013. While the previous bylaw outlined specific duties for the CAO, Corporate Officer and CFO positions, the proposed bylaw does not. General duties that apply for these officer positions are outlined in sections 147 – 149 of the *Community Charter* as follows:

Chief Administrative Officer:

- Overall management of the operations of the municipality;
- Ensuring that the policies, programs and other directions of the council are implemented;
- Advising and informing the council on the operation and affairs of the municipality

Corporate Officer:

- Ensuring that accurate minutes of the meetings of the council and council committees are prepared and that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe;
- Ensuring that access is provided to the records of the council and council committees, as required by law or authorized by the council;
- Administering oaths and taking affirmations, affidavits and declarations required to be taken under this Act or any other Act relating to municipalities;
- Certifying copies of bylaws and other documents, as required or requested;
- Accepting, on behalf of the council or municipality, notices and documents that are required or permitted to be given to, served on, filed with or otherwise provided to the council or municipality;
- Keeping the corporate seal, if any, and having it affixed to documents as required.

Financial Officer:

- Receiving all money paid to the municipality;
- Ensuring the keeping of all funds and securities of the municipality
- Investing municipal funds, until required, in authorized investments;
- Expending municipal money in the manner authorized by the council;

- Ensuring that accurate records and full accounts of the financial affairs of the municipality are prepared, maintained and kept safe;
- Exercising control and supervision over all other financial affairs of the municipality.

Municipalities may assign powers duties and functions to its officer positions either by bylaw, policy, or through specific employment agreements. The bylaw received three readings at the November 12, 2019 Regular Meeting.

ANALYSIS: The distribution of duties among municipal officers outlined in Bylaw No. 683, 2013 is no longer practical. The proposed bylaw meets the requirements of section 146 of the *Community Charter* and will allow the duties to be redistributed to better meet the needs of the Village and reflect the capacities of staff. The assignment of powers, duties and functions will occur in employment contracts/contracts for services. Many municipalities across the province have taken this approach in recent years.

LEGISLATIVE FRAMEWORK: Section 146 of the *Community Charter* requires that Council, by bylaw, establish officer positions. A Corporate Officer and CFO are required, a CAO and additional officer positions are optional.

STRATEGIC PRIORITY: The proposed course of action supports the municipal objective of filling senior staff positions, identified in the 2019 Annual Report.

COMMUNICATION STRATEGY: Nil

FINANCIAL IMPLICATIONS: Nil

THE CORPORATION OF THE VILLAGE OF NEW DENVER
BYLAW NO. 726, 2019

A bylaw to provide for the establishment of officer positions

WHEREAS the *Community Charter* requires by bylaw the establishment of officer positions;

NOW THEREFORE the Council of the Village of New Denver in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Municipal Officers Bylaw No. 726, 2019”.

2. GENERAL

2.1. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

2.2. If any part, section, sentence, clause, phrase or word of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the bylaw had been adopted without the invalid portion.

3. OFFICER POSITIONS

3.1. The following positions are hereby established as officer positions of the Corporation of the Village of New Denver

3.1.1. Chief Administrative Officer

3.1.2. Corporate Officer

3.1.3. Chief Financial Officer

4. REPEAL

Village of New Denver Officers Designation and Establishment Bylaw No. 683, 2013 is hereby repealed.

5. EFFECTIVE DATE

This bylaw shall take effect upon adoption.

READ A FIRST TIME this 12th day of November, 2019.

READ A SECOND TIME this 12th day of November, 2019.

READ A THIRD TIME this 12th day of November, 2019.

RECONSIDERED AND FINALLY ADOPTED this _____ day of _____, 2019.

MAYOR

CORPORATE OFFICER

Certified to be a true copy of "Village of New Denver Officers Amendment Bylaw No. 726, 2019".

CORPORATE OFFICER

“SCHEDULE A”

POWERS DUTIES AND RESPONSIBILITIES

CHIEF ADMINISTRATIVE OFFICER

- Overall management of the operations of the municipality;
- Ensuring that the policies, programs and other directions of Council are implemented;
- Advising and informing Council on the operation and affairs of the municipality.

SCHEDULE “B”

POWERS, DUTIES AND RESPONSIBILITIES

CORPORATE OFFICER

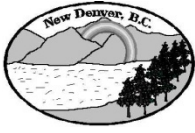
The Corporate Officer is assigned the powers, duties and functions a set out in s. 148 of the *Community Charter* and is designated as the Information and Privacy Coordinator for the Village of New Denver with the duties and functions delegated in accordance with Village of New Denver Freedom of Information Bylaw No. 443, 1994.

SCHEDULE "C"

POWERS, DUTIES AND RESPONSIBILITIES

CHIEF FINANCIAL OFFICER

- The Financial Officer is assigned the powers, duties and functions as set out in s. 149 of the *Community Charter* and in addition:
 - Preparation of the Annual 5-year Financial Plan;
 - Preparation of the annual Tax Rate Bylaw;
 - Preparation and presentation of regular financial reporting to Council;
 - Coordination of and support for the annual financial statement audit;
 - Responsibility for statutory reporting.



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PHONE (250) 358-2316 • FAX (250) 358-7251

TO: Mayor and Council
FROM: Acting CAO
SUBJECT: Appointment of CFO
DATE: November 14, 2019

OPTIONS:

1. Appoint Colin McClure as the CFO for the Village of New Denver
2. Do not appoint Colin McClure as the CFO for the Village of New Denver

RECOMMENDATION: That Colin McClure be appointed as the Chief Financial Officer for the Village of New Denver

BACKGROUND: Acting CFO Lisa McGinn retired in July 2019. Since this time, Catherine Allaway has taken on the role of Acting CFO to fill this staffing gap. At the November 12, 2019 Regular Meeting, Council authorized the Village of New Denver to enter into a contract with the City of Nelson for the provision of financial services. The proposed resolution meets the requirements of the *Community Charter* and aligns with the terms of the contract with the City of Nelson. Similar arrangements are in place in the Villages of Silverton, Slokan and Salmo.

ANALYSIS: The proposed recommendation will provide the Village of New Denver with the necessary expertise to ensure that the municipality's financial affairs are managed in a responsible manner. By sharing services with other local municipalities, the Village is taking a cost-effective approach.

LEGISLATIVE FRAMEWORK: Section 149 of the *Community Charter* requires the appointment of a CFO

STRATEGIC PRIORITY: Filling senior staff positions, as identified in the 2019 Annual Report

COMMUNICATION STRATEGY: Nil

FINANCIAL IMPLICATIONS: The costs associated with the appointment of Colin McClure as CFO for the Village of New Denver fall within the amounts budgeted in the Village of New Denver's current Five Year Financial Plan bylaw.