

**TOWN OF OYEN  
BYLAW NUMBER# 832-13**

**BEING A BYLAW OF THE TOWN OF OYEN IN THE  
PROVINCE OF ALBERTA FOR THE PURPOSE OF  
PROVIDING FAMILY AND COMMUNITY SUPPORT  
SERVICES**

**WHEREAS**

The Council of the Town of Oyen wishes to rescind Bylaw No. 712-97 "FAMILY AND COMMUNITY SUPPORT SERVICES" and adopt a new Bylaw of a similar effect;

**WHEREAS**

The Council of the Town of Oyen has determined it is in the best interest of the Town to pass a Bylaw to that effect;

**NOW THEREFORE**

The Council of the Town of Oyen, in the Province of Alberta, duly assembled, hereby enacts as follows:

**1. Title**

This Bylaw may be cited as the "Oyen and District Family and Community Support Services Bylaw".

**2. Definitions**

In this Bylaw, unless the context otherwise requires:

- 2.1 "Act" means The Municipal Government Act 1994 as amended.
- 2.2 "Board" shall mean and include all members of the Oyen and District Family and Community Support Services Board.
- 2.3 "Council" shall mean the Council of the Town of Oyen.
- 2.4 "Director" shall mean the Director of Community Services or his/her designate.
- 2.5 "Member" shall mean a member of the Oyen and District Family and Community Support Services Board
- 2.6 "Town" shall mean the Town of Oyen
- 2.7 "District" shall mean the Regional Family and Community Support Services District.

**3. Purpose**

By the present Bylaw, a committee named "THE OYEN AND DISTRICT FAMILY AND COMMUNITY SUPPORT SERVICES" is created.

**4. Regional Agreement**

- 4.1 Any Municipality within the Special Areas No. 3 (Village of Cereal, Village of Empress, Village of Youngstown, and the Special Areas Board) and the Municipal District of Acadia No. 34 can become part of an agreement to receive Family and Community

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Support Services under the authority of the Town of Oyen;

4.2 The agreement governing the participating partners is listed in Appendix "A", which is an integral part of this Bylaw.

5. **Board**

5.1 The Oyen and District Family and Community Support Services Board is hereby established and shall consist not fewer than four (4) members appointed by resolution of Council, which shall comprise the following:

- a) One (1) member appointed by the Council of each of the Municipal partners to an agreement (appointed annually);
- b) Persons from the public at large, who are residents of the Municipal partners to an agreement.

5.2 The Oyen & District Family and Community Support Services Board recommend the appointments of the members at large and the Council shall authorize the appointments.

5.3 Members may be appointed for three (3) consecutive terms.

5.4 Upon expiry of their term each member shall remain in office until a successor is appointed by Council.

5.5 A member may resign by sending written notice to Council. The date the resignation is received by Council shall be the effective date of resignation.

5.6 If any member of the Board dies, resigns, or ceases to be a member during the term of appointment, the vacancy shall be filled as soon as possible thereafter, and such appointment shall be effective only during the remaining term of the member vacating.

5.7 A member of the Board shall be unable to remain a member if he/she ceases to be a resident within the meaning of the Act.

5.8 Any member of Council who is a member of the Board as the Council representative who resigns from the respective Council shall be deemed to have resigned from the Board.

5.9 A member of the Board shall be disqualified from holding office if the member is:

- a) Hired in a permanent capacity for the Family and Community Support Services; or
- b) Absent from three (3) consecutive meetings of the Board, unless such absence is authorized by resolution of the Board.

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5.1 O Municipally appointed members shall be eligible for re-appointment on expiry of their term and each municipality may establish the maximum number of terms that its member may serve.

#### 6. Board Members

6.1 Each Board member will have one vote.

6.2 Neither the Board nor any member thereof shall have the power to pledge the credit of the Town in connection with any matters whatsoever, nor shall the said Board or any member thereof have power to authorize any expenditure to be charged against the Town.

6.3 No member of the Board shall issue or purport to issue any order, direction or instruction to any member of the Town staff.

#### 7. Officers

7.1 The Board shall elect a Chairperson, Vice-Chairperson, or other officers, as the Board may see necessary, from its membership every year, at their annual organizational meeting.

7.2 The Treasurer/Office of Secretary shall be the Director, who shall have no vote on the Board.

7.3 The Board may engage the services of a paid Director and such other paid, full time or part time employees, as it deems necessary. The Director and staff shall be responsible to the Oyen & District Family and Community Support Services Board. The Board is responsible to the Council. Submission to Council must be forwarded to the CAO.

7.4 All staff positions shall be filled according to the terms of the Town of Oyen *Personnel Policy*.

#### 8. Budget

The Oyen and District Family and Community Support Services annual budget will be submitted to the Town of Oyen, once approved by the Board.

#### 9. Role and Responsibilities

The Oyen and District Family and Community Support Services is established to assist the Town of Oyen and implement FCSS programs within the Oyen District. The Board will monitor and assess the progress of the programs and address the overall social needs of the community.

#### 10. Regulations

The regulations governing the Committee Board are listed in Appendix "B", which is an integral part of this Bylaw.

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Any amendments and/or changes to Appendix "A" or Appendix "B" may be made from time to time by resolution of Council.

This Bylaw shall come into full force and effect on the date of final passing thereof.

By-Law No 712-97 of the Town of Oyen is hereby repealed.

Read a first time this 11<sup>th</sup> day of December, 2013

Read a second time this 11th day of December, 2013

Read a third time and passed this 11th day of December, 2013

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER



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Mayor   
CAO 

**APPENDIX "A"**

THIS AGREEMENT, MADE THIS \_\_\_ DAY OF \_\_\_\_\_, A.D. 2013

BETWEEN:

***THE Town of Oyen, a body corporate in the Province of Alberta***  
(hereinafter referred to as the "Administrative Authority")

and

***Name of Potential Partner Municipality***  
(hereinafter referred to as "the Contracting Municipality")

**WHEREAS** the Family and Community Support Services Act enacts that, where a municipality provides for the establishment, administration, and operation of a Family and Community Support Services Program in a manner that is satisfactory to the Minister responsible for Family and Community Support Services (hereinafter referred to as "the Minister"), the Minister may pay grants to the municipality to be used in such programs;

**AND WHEREAS** the Family and Community Support Services Act makes provision for a municipality to enter into agreements with other municipalities to provide for the establishment, administration and operation of joint Family and Community Support Services Programs;

**AND WHEREAS** the parties have resolved to enter into an agreement with each other with respect to the operation of a regional Family and Community Support Services program; hereinafter referred to as the Oyen and District FCSS program;

**AND WHEREAS** The Town of Oyen has entered into an agreement with Alberta Family and Social Services under the Family and Community Support Services Act and regulations;

**AND WHEREAS** the Town of Oyen agrees to act on behalf of other municipalities for administration and operation of a program;

**AND WHEREAS** the other parties to the agreement agree that the Town is responsible for the administration and operation of the program.

**NOW THEREFORE,** in consideration of these premises and agreements contained therein, the parties hereto covenant and agree together as follows:

1. The Administrative Authority shall:
  - a. Act as Representing Authority to the Agreement on behalf of the parties.
  - b. Sign, on behalf of the parties, applications for funding under the FCSS Act and Regulations submitted to the Minister.
  - c. Enter into an agreement with the Minister, on behalf of, and at the direction of the Oyen & District FCSS Board, to provide for the administration and operation of a Family and Community Support Services program as outlined in the FCSS Act and Regulations.
  - d. Receive from the Minister, funds as are granted under the FCSS Act and Regulations and forward said funds to the Oyen & District FCSS Board.
  - e. Sign on behalf of the other parties and at the direction of the Oyen & District FCSS Board, such legal agreements as are needed for the efficient and sound development of the program.

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2. The Administrative Authority shall not:
  - a. Be solely liable for any action taken subject to this Agreement, on behalf of and at the direction of the Oyen & District FCSS Board and other parties.
  - b. Direct the activity of, or be responsible for the activities of the Oyen & District FCSS Program.
  
3. Each municipality's portion of shared funding from the Provincial-Municipal funding formula shall be payable by each Party on or before the 30<sup>th</sup> day of June, in each year.
  
4. The Board of Directors for the Oyen & District Family and Community Support Services Board shall include:
  - a) one (1) elected official appointed by the Administrative Authority, and
  - b) one (1) elected official appointed by the Contracting Municipality.
  
5. On or before November 30<sup>th</sup> of each year, the Town of Oyen and the Municipal District of Acadia No. 34 shall notify the Oyen & District FCSS Board, the names of their appointed Board Members for the ensuing year. In the event of a vacancy arising during the year, another Councillor or Member-at-large may be appointed by the municipality concerned to hold office for the balance of the year.
  
6. In the event a new municipality wishes to participate in the Oyen & District FCSS Program, the Board shall cause a poll to be taken of the participating municipalities, who shall indicate whether they approve or disapprove of the addition of the new municipality. The addition of the new municipality shall be determined by a majority of the participating municipalities.
  
7. If a participating municipality wishes to withdraw from this Agreement, in accordance with Section 10(2) of the regulations of the Act, it shall provide to the other participating municipality and the Minister, written notice of termination not less than six months prior to the beginning of the following year.
  
8. This agreement is binding and shall inure to the benefit of the parties hereto, their successors and approved assigns.

In WITNESS THEREOF the parties have hereunto affixed their corporate seals attested under the hands of their proper officers in that behalf the day and year first above written. This agreement shall replace any previous agreement heretofore signed between all contracting municipalities.

*Town of Oyen*

*Potential Partner*

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Reeve)

\_\_\_\_\_  
(Municipal Administrator)

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(Municipal Administrator)

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**APPENDIX "B"****REGULATIONS****Oyen & District Family and Community Support Services****THE BOARD MEMBER'S ROLE**

The Board shall be a recommending body to the Town Council to help ensure that the community's desires are being addressed, to keep the program in tune with the needs and wants, and to assess the validity of any project submitted, recommend its funding or non-funding to Council, and through the Director, monitor and assess the progress of any given project and assess and address the overall social needs of the community.

**THE CHAIRPERSON'S ROLE**

The Chairperson of the Oyen & District Family and Community Support Services Board shall act as a liaison and ensure at all times the democratic process is maintained.

**THE DIRECTOR'S ROLE**

The Director shall be an employee of the Board, and shall serve as the Board's Administrative counsel advisor and support staff. The Director shall attend all Board meetings, and maintain accurate accounting records for the Board.

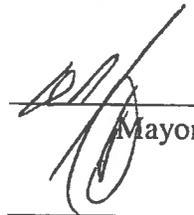
**DEFINITION OF THE ADMINISTRATIVE PROCESS IN RELATION TO THE BOARD AND COUNCIL**

Unless otherwise ruled by the Board, the procedure for the approval or rejection of any community project shall be as follows:

1. a proposed project shall be presented to the Board.
2. the Board shall assess, research and rule (by the democratic process) on the validity and the practicality of the project, and whether it is within the guidelines and terms of reference of the Family and Community Support Services policy.
3. once the project has been identified as worthwhile and eligible, the results of the Board's decision will be passed to Council in the form of Board of Director's minutes.

**PROCEDURES**

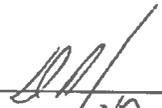
1. The Board, should it deem desirable, may request a person or persons to attend its meetings in an advisory capacity, but such person or persons shall not be members of the Board and shall not have a vote thereon.
2. Only those members of the Board in attendance at a meeting of the Board may vote on any matter then before the Board.
3. One half of the Board membership, two of which are Municipal representatives constitute a quorum for the making of any decisions.
4. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the Whole Board.
5. The Chairperson shall vote on every question, and, in the event of a tie, the motion shall be defeated.
6. Motions put forth must be voted on by all members except motions in which a member has direct or indirect interests. A request to abstain from discussion and voting and the reason for same shall be recorded in the Minutes.
7. The Board shall hold no less than eight (8) Regular meetings each year and it may hold special meetings at the call of the Chairperson, or any four (4) voting members, upon 24 hours' notice.

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8. The Board may adopt such rules or procedures as its members may agree upon.
9. Meetings of the Board shall be open to the Public, but all matters relating to discipline, personnel, conduct, management/employee relations shall be conducted in closed sessions.
10. Members of the Board shall serve without remuneration.

#### Power and Duties of the Board

1. The Oyen and District Family and Community Support Services Board is established as an Operational Board to Council in pursuing and implementing Family and Community Support Services with the participating Municipalities.
2. The Board shall have the power to make such rules, regulations and policy with regards to direct programming and facilities as it may deem necessary from time to time, providing such rules and regulations are not consistent with power herein confined.
3. The Board may appoint sub-committees to deal with any matter coming within the scope and jurisdiction of the Board as herein set forth.
4. The Board will ensure that all matters concerning municipal funding from the participating partners will be directed to Council for approval.
5. The Board will act as a coordinating body and cooperate with, and encourage all organizations; public and private, civic, social and religious, supporting, promoting or working for the Oyen and District Family and Community Support Services.
6. The Board being cognizant of the total Oyen and District Family and Community Support Services organization may hear and consider representations by any individual, organization or delegation with respect to the Oyen and District Family and Community Support Services and act on such recommendations arising therefrom as the Board shall deem to be in the general interest of all citizens.
7. The Board shall assist the Director in forming plans and priorities concerning the Oyen and District Family and Community Support Services with a view to establishment of comprehensive programs to suit the assessed needs of the community.
8. The Board shall make complete annual reports to the Council and other reports from time to time as requested.

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