

# Village of Hines Creek Council Request for Decision (RFD)

Meeting:	Regular Council Meeting
Meeting Date:	October 13, 2020
Originated By:	Kim Kuntz, Administrative Assistant
Title:	Unfinished Business – MAP Review Legislative Gap Progress
File:	1220

## BACKGROUND/PROPOSAL:

As a result of the Municipal Accountability Program conducted on June 3, 2020 the Village was given a list of deficiencies to correct. A timeline was created listing dates for each deficiency to be corrected by, 2 policies and 2 bylaws are scheduled to go to the October 13, 2020 council meeting.

## DISCUSSION

1. Policy 200-36 As per Section 283.1 of the MGA a 3 year Operations and 5 Year Capital Plan must be approved. This policy outlines the method for doing so.
2. Policy 1700-03-Peace Regional Subdivision and Development Appeal Board Clerk Duties and Forms.
3. Bylaw 600-20 As per section 146.1 of the MGA a Code of Conduct Bylaw for Councillors is required.
4. Bylaw 601-20 rescinds Bylaw 576-18 and now meets all requirements of the MGA for a Procedural Bylaw.

## COSTS/SOURCE OF FUNDING (if applicable)

## RECOMMENDED ACTION:

That Council receives the MAP Program Review items as information.

Initials show support- Reviewed by:	Manager:	C.A.O. <i>rw</i>
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4.d.



VILLAGE OF HINES CREEK  
POLICIES AND PROCEDURES MANUAL  
ADMINISTRATION

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TITLE: 3 Year Operations and 5 Year Capital Plan Policy  
POLICY NUMBER: 200-36  
EFFECTIVE DATE: 2020-10-13

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**POLICY STATEMENT:**

Good financial planning can provide information about future financial capacity so that strategies can be developed to achieve sustainability. Section 283 of the Municipal Government Act stipulates that municipalities must prepare financial plans and capital plans on a multi-year basis, in addition to the budgets they prepare on an annual basis.

A financial plan can be defined as a rolling, multi-year budget that details expenses and anticipated revenues over the specified budget period. Each year of the plan is reviewed and approved, with adjustments as required and an additional year added.

A capital plan is a multi-year plan that lists the physical assets and the infrastructure needs of a municipality, assesses the condition of those assets, determines what new infrastructure is needed, and indicates when funds will be spent on both old and new assets. A capital plan identifies how projects are to be funded and when projects are to commence.

**METHODS**

Section 283 of the MGA includes the following:

- Each municipality must prepare a written plan respecting its anticipated financial operations over a period of at least the next 3 financial years.
- Each municipality must prepare a written plan respecting its anticipated capital property additions over a period of at least the next 5 financial years.
- Multi-year plans do not include the year in which they are being prepared.
- Council must review and update the financial and capital plans annually.

In addition to section 283 of the MGA the Municipal Corporate Planning Regulation established a minimum standard for the content of financial and capital plans.

The regulation provides that the 3 year financial plan must include, at a minimum:

- Anticipated total revenues and total expenses by major category;
- Anticipated annual surplus or deficit; and
- Anticipated accumulated surplus or deficit.

The regulation provides that the capital plan must include, at a minimum:

- Planned capital property additions, and
- Allocated or anticipated funding sources.

END OF POLICY

APPROVED:

AMENDED



VILLAGE OF HINES CREEK  
POLICIES AND PROCEDURES MANUAL  
SUBDIVISION AND DEVELOPMENT

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TITLE: Peace Regional Subdivision and Development Appeal Board Clerk Duties and Forms

POLICY NUMBER: 1700-03

EFFECTIVE DATE:

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**POLICY STATEMENT:**

Bylaw 585-19 authorized the Village of Hines Creek to enter into an agreement to join the Peace Regional Subdivision Development and Appeal Board (PRSDAB). Each Municipality that is a part of the board must name a clerk as the designated officer of the Municipality. The Duties of the PRSDAB Clerk are as described:

**1. Pre-hearing Responsibilities**

- a. Work with the Administrative Assistant (MMSA) to set a date for the hearing.
- b. Use the appropriate forms to notify the appellant and other parties of the hearing. Notice requirements are determined in accordance with the MGA and the Land Use Bylaw.
- c. Take steps to communicate the PRSDAB's expectations regarding written and oral submissions.
- d. Identify preliminary issues (such as a request for a postponement/adjournment) that will need to be addressed by the Board at the hearing.
- e. Advise the participants in the appeal process that they should be prepared to make submissions to the PRSDAB regarding any preliminary issue or issues, if applicable.
- f. Ensure that all relevant documents and materials regarding the appeal are available for public inspection before the commencement of the hearing.
- g. Prepare an agenda package for the hearing, including:
  - i. Agenda (order of proceedings)
  - ii. Notice of Appeal
  - iii. Subdivision or Development Authority's report and
  - iv. Any written submissions received from the appellant or any person affected by the appeal.

## 2. Responsibilities at the Hearing

- a. Make a sign-in sheet available;
- b. Confirm that the quorum requirements of the PRSDAB Agreement are met;
- c. Read the appeal when requested by the Chair of the Board;
- d. Record presenter's names;
- e. Mark exhibits
- f. Take minutes or notes of the appeal hearing; and
- g. Record motions

## 3. Post Hearing Responsibilities

- a. Prepare a record of proceedings (a summary of the evidence presented at the hearing);
- b. Assist Board members in the preparations of the written decision;
- c. Circulate Notice of the Board's decision to the appropriate parties.
- d. Collect and submit expense claim forms completed by Board members to the municipality from which the appeal originated for reimbursement
- e. Submit all files related to the appeal to the Administrative Assistant, including:
  - i. A copy of the Decision or Order of the Development/Subdivision Authority subject to appeal
  - ii. Notice of Appeal
  - iii. Notice of Receipt of Appeal
  - iv. Notice of Hearing
  - v. Hearing Agenda
  - vi. Sign-in sheet
  - vii. Written submissions by parties before and during the hearing
  - viii. Any reports, exhibits and other materials
  - ix. Minutes of the appeal proceedings
  - x. Notice of Decision

*Note: Please use and include the **Post-Hearing Document Submission Checklist** with your submission.*

The forms listed below are located on the (H:) Drive in the SDAB Folder.

The **Post-Hearing Document Submission Checklist** is located at <http://mmsa.ca/services/peace-regional-sdab> . It is found on the Clerks Administrative Page once the username and password are entered.

### Forms:

1. Pre-Hearing Forms
  - a. Notice of Receipt of Appeal-Development Authority (Development Permit)
  - b. Notice of Receipt of Appeal-Development Authority (Stop Order)
  - c. Notice of Receipt of Appeal-Subdivision Authority
  - d. Notice of Hearing
  - e. Expense Claim Form
  
2. Forms for the Hearing
  - a. Hearing Agenda

- b. Hearing Notes
- c. Sign-in Sheet

- 3. Post Hearing Forms
  - a. Notice of Decision

**Checklist:**

- 1. Post-Hearing Document Submission Checklist

PURCHASING/DEFINITIONS/RESPONSIBILITIES/METHODS/

END OF POLICY

APPROVED

AMENDED

