BYLAW 2024-12

A BYLAW OF THE MUNICIPAL DISTRICT OF LESSER SLAVE RIVER NO.124 IN THE PROVINCE OF ALBERTA TO ESTABLISH A CHIEF ADMINISTRATIVE OFFICER PERFORMANCE EVALUATION COMMITTEE

WHEREAS pursuant to section 205.1 of the *Municipal Government Act*, a Council must provide the Chief Administrative Officer with an annual written performance evaluation;

WHEREAS, pursuant to section 145(2) of the *Municipal Government Act*, a Council may, by bylaw, establish council committees;

AND WHEREAS, subject to certain provisions, a Council may by bylaw delegate any of its powers, duties, or functions to a Council Committee;

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other powers enabling it, the Council of the Municipal District of Lesser Slave River No. 124, duly assembled, enacts as follows:

Title

1. This Bylaw is called the "Chief Administrative Officer (CAO) Performance Evaluation Committee."

Definitions

2. In this bylaw;

   i. "Administration" means staff members of Municipal District of Lesser Slave River;

   ii. "CAO" means the Chief Administrative Officer;

   iii. "Chief Administrative Officer" means the person appointed in accordance with the *Municipal Government Act*;

   iv. "Committee" means the Chief Administrative Officer Performance Evaluation Committee;

   v. "Freedom of Information and Protection of Privacy" means the *Freedom of Information and Protection of Privacy Act*, Chapter F 25, RSA 2000 as amended;

   vi. "Human Resources" means the person designated to carry out the duties of Human Resources for the Municipal District of Lesser Slave River No. 124; and

   vii. "*Municipal Government Act"* means the *Municipal Government Act*, Chapter M 26, RSA 2000 as amended.

Establishment and Structure

3. The Chief Administrative Officer Performance Evaluation Committee is hereby established and shall consist of the Reeve, Deputy Reeve and at least one (1) other Member of Council appointed by resolution of Council.

Authority

4(1) Subject to the limitations of this section, and in keeping with the principles of the Municipal District of Lesser Slave River No. 124 policies, the purpose of the Committee is to facilitate the annual written performance evaluation process of the CAO, which includes:

   i. oversight and implementation of the performance review process, including procurement of an independent consultant to complete the review;

   ii. review of the previous year's assessment criteria and evaluation form(s) for the current year;

   iii. circulation of the performance evaluation form(s) to all Members of Council and other Municipal District of Lesser Slave River No. 124 Administration, as required by Council;

   iv. compile results of the circulated performance evaluation form(s);

   v. coordinating with Council and CAO to discuss performance evaluation results, and

   vi. sharing performance review results with Council and providing all applicable performance review records to Human Resources for the CAO's personnel file.

BYLAW 2024-12

(2) The Committee has no authority to:

i. make, suspend, or revoke the appointment of a person to the position of CAO;

ii. approve the final written evaluation, or goal setting as it pertains to the position of CAO, or

iii. decide upon any rewards or discipline of the CAO.

Term

5(1) Following the establishment of the Committee, unless otherwise specified by Council resolution, the term for Members shall be effective immediately upon appointment and shall run to the date of the next Organizational Meeting of Council.

(2) The term of appointment for Members shall run from the Organizational Meeting in one year to the date of the Organizational Meeting in the following year.

(3) If any Member is unable or unwilling to continue to serve as a Member, Council may appoint a replacement Member serve the balance of the term vacated.

(4) Council may remove a Member from the Committee by resolution at any time.

Chairperson

6. The Reeve shall serve as Chairperson of the Committee. In the absence of the Reeve, the Members may select an alternate Chairperson for the meeting in which the Reeve is absent.

Quorum

7. Quorum of the Committee shall be a simple majority of the Members appointed by Council.

Meetings and Reporting

8(1) The Reeve, as the Committee Chairperson, determines the schedule of the review meetings, commencing the process on the CAO's anniversary date or as required by the employment contract of the CAO.

(2) The Committee shall meet at least quarterly with the CAO to discuss the status of the goals set by Council and emerging performance matters.

(3) The Committee shall report to the Council bi-annually to discuss the results of the performance evaluation meeting with the CAO.

(4) The Committee shall follow the same rules of procedure as followed by the Municipal District of Lesser Slave River No. 124 Council (the Organizational and Procedural Bylaw).

(5) Following adoption of the meeting agenda and acceptance of the previous meeting minutes, the Committee shall proceed to a closed session upon siting the relevant exceptions(s) to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act* when discussing the personal information of the CAO.

(6) Meeting minutes of the CAO Performance Evaluation Committee shall be kept in accordance with the requirements of the *Municipal Government Act.*

Severability

9. Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a count of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

BYLAW 2024-12

Effective Date

10. This Bylaw shall come into force and effect upon third reading.

Read a first time on this 22nd day of May 2024.

Read a second time on this 22nd day of May 2024.

Approved unanimously this 22nd day of May 2024 to be presented for third reading at this meeting.

Read a third and final time on this 22nd day of May 2024.

_____"Original Signed" _____
Reeve
Murray Kerik

_____"Original Signed" _____
Chief Administrative Officer
Barry Kolenosky