



AGENDA ITEM

Appointment of Subdivision & Development Appeal Board Members (SDAB) Local and Composite Assessment Review Board Members (LARB/CARB) October 22, 2019 – Organizational Meeting

BACKGROUND

The membership of the current SDAB is as follows:

| | |
|----------------|-----------------------------|
| Garth Yeomans | Appointed December 31, 2010 |
| Eric Jerrard | Appointed December 31, 2013 |
| Wade Martens | Appointed December 31, 2016 |
| Linda McLevin | Appointed December 31, 2015 |
| Denniece Crout | Appointed December 31, 2018 |

John Busaan was a member of the SDAB and LARB/CARB and was appointed December 31, 2010.

The membership of the current LARB/CARB is as follows:

Garth Yeomans (Lacombe County Resident)
Linda McLevin (City of Red Deer Resident & Lacombe County Landowner)
Eric Jerrard (Lacombe County Resident)
Wade Martens (Red Deer County Resident)

The following are the terms of reference for SDAB members:

The SDAB carries out duties required under County Bylaw No. 1303/19 to hear subdivision and development appeals.

The following criteria shall be used as the basis for changes to the term of office for SDAB members:

- 1) Members of the Subdivision and Development Appeal Board shall be appointed at the pleasure of Council for a term of one (1) year and may be reappointed upon the expiry of the term at the pleasure of Council.

(a) Professional Development

Members are authorized to attend the annual Alberta Community Planning Conference or appropriate courses offered by the Alberta Foundation of Administrative Justice.

(c) Membership:

Four members from the public at large.

Council may appoint up to six members from the public at large annually to serve on the Subdivision and Development Appeal Board.

The Secretary of the SDAB may select any combination of the appointed members to form a Board for the purpose of convening a hearing.

The Chairperson and Vice-chairperson shall be selected by the members at the first meeting of each year.

The following are the terms of reference for LARB/CARB members:

Local and Composite Assessment Review Boards (LARB and CARB)

(a) Terms of Reference:

To hear and make decisions on property assessment complaints pursuant to Bylaw No. 1304/19.

Members are authorized to participate in the training programs required to maintain their eligibility as LARB and CARB members.

(b) Membership:

LARB – Minimum of 5 Citizens at Large

CARB – Minimum of 5 Citizens at Large

All members are required to successfully complete assessment review board training to maintain their eligibility as qualified assessment review board members.

Of the current candidates the following are qualified to sit on LARB and CARB:

Garth Yeomans, Linda McLevin, Eric Jerrard and Wade Martens.

The Chair of the LARB and CARB is to be appointed by Council.

ANALYSIS

Our current practice is to invite applications for appointment to the SDAB and LARB and CARB. Ads were placed on the County's website, in the County News and in local newspapers inviting applications from interested parties. The closing date was October 1, 2019 with four applications being received.

We have received applications from all current Board members.

Applications have also been received from:

Anita Gillard (Village of Clive Resident)

Denise Sumner (Lacombe County Resident)

Robert Bouvier (Village of Clive Resident)

Alexis Soltice (Lacombe County Resident)

The resumes for the above noted are attached for your perusal.

BUDGET IMPLICATIONS:

Per diem, mileage and professional development fees paid to Board members.

LEGISLATIVE RESPONSIBILITIES:

Section 627(1) of the Municipal Government Act states:

A Council must by bylaw:

- (a) establish a Subdivision or Development Appeal Board, or
- (b) authorize the municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board, or both.

Section 627(3) Despite section 146:

- (a) in the case of Subdivision and Development Appeal Board formed under subsection (1)(a), Councillors may not form the majority of the board or the majority of the board or a committee hearing and appeal.

Section 627(4) The following persons may not be appointed as members of a Subdivision and Development Appeal Board:

- (a) an employee of the municipality;
- (b) a person who carries out subdivision or development powers, duties and functions on behalf of the municipality; and
- (c) a member of a municipal planning commission.

Section 454 of the Municipal Government Act states - A council must by bylaw establish:

- (a) a local assessment review board to hear complaints referred to in section 460.1(1), and
- (b) a composite assessment review board to hear complaints referred to in section 460(1)(2).

Section 454.1(1) of the Municipal Government Act states – A council must:

- (a) appoint at least 2 persons as members of the local assessment review board,
- (b) prescribe the term of office of each member appointed under clause (a) and
- (c) prescribe the remuneration and expenses, if any, payable to each member appointed under clause (a)

Section 454.1(2) states:

The council must designate one of the members appointed under subsection (1) as the chair of the local assessment review board and must prescribe the chair's term of office and the remuneration and expenses, if any, payable to the chair.

Section 454.2(1) of the Municipal Government Act states – A council must:

- (a) appoint at least 2 persons as members of the composite assessment review board,
- (b) prescribe the term of office of each member appointed under clause (a) and
- (c) prescribe the remuneration and expenses, if any, payable to each member appointed under clause (a)

Section 454.2(2) states:

The council must designate one of the members appointed under subsection (1) as the chair of the composite assessment review board and must prescribe the chair's term of office and the remuneration and expenses, if any, payable to the chair.

STRATEGIC PLAN

KEY PRINCIPLE STATEMENT:

We approach the role of providing the best possible level of municipal services for our citizens through a base of collaborative and supportive teamwork.

KEY SUCCESS MEASURE STATEMENT:

Delegating decision making to the most appropriate level.

PUBLIC PARTICIPATION

Lacombe County sees the value in engaging and informing the public/stakeholders through a variety of mediums as outlined in the *Policy AD(40): Public Participation Policy*. The appropriate level of engagement for each public participation opportunity is selected on a project-to-project basis. For this item, the following engagement will take place:

- *Inform:* To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions

Highlights of all County Council meetings are published on the County Website and in the County News.

RECOMMENDATION

That Council appoint six members to the Subdivision and Development Appeal Board.

That Council appoint six members to the Local and Composite Assessment Review Boards (LARB AND CARB).

That Council designate one of the LARB members as Chair of LARB.

That Council designate one of the CARB members as Chair of CARB.

PREPARED BY: Laverne Turnbull, Executive Assistant



REVIEWED BY: Tim Timmons, County Manager

