

RURAL MUNICIPALITY OF CORNWALLIS

By-Law No. 1743-08-2025

Being a by-law to govern the organization of The Rural Municipality of Cornwallis and the committees thereof.

WHEREAS Section 130 A Council may, by by-law, establish one or more positions to carry out the powers, duties and functions of a designated officer under a by-law of this or any other Act, and may give each such positions any title the Council considers appropriate.

WHEREAS Section 148(1) of The Municipal Act provides that a Council must establish by by-law an organizational structure for the municipality and review the by-law at least once during its term of office.

THEREFORE BE IT RESOLVED that the Council of The Rural Municipality of Cornwallis, in open meeting assembled, enacts as follows:

TITLE

This by-law may be referred to as "The Rural Municipality of Cornwallis Organizational By-Law."

MUNICIPAL GOVERNING LEGISLATION

1.0 The responsibilities of Council are determined by the legislative framework outlined within The Municipal Act.

ROLE OF COUNCIL (Municipal Act Section 82)

2.0 Council is responsible:

- a) for developing and evaluating the policies and programs of the Municipality;
- b) for ensuring that the powers, duties and functions of the municipality are appropriately carried out;
- c) and for carrying out the powers, duties and functions expressly given to the Council under the Municipal Act or any other Act.

GENERAL DUTIES OF MEMBERS (Municipal Act Section 83)

3.0 Each Member of Council has the following duties:

- a) to consider the well-being and interests of the municipality as a whole and to bring to the Council's attention anything that would promote the well-being or interests of the Municipality;
- b) to participate generally in developing and evaluating the policies and programs of the Municipality;
- c) to participate in meetings of the Council and of Council Committees and other bodies to which the member is appointed by the Council;
- d) to keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the committee decides to keep confidential until the matter is discussed at a meeting of the Council or of a committee conducted in public;
- d.1) to comply with the code of conduct for members of Council;
- e) to perform any other duty or function imposed on the member by the Council or this or any other Act.

COUNCIL AS A WHOLE

4.0 Council is a democratically elected body responsible for making fair and transparent

decisions based on relevant information, discussion and a vote. Council may only make decisions by passing resolutions by a vote of Council Members at a Regular or Special Council Meeting which is open to the public.

- 4.1 Individual Council members have an equal voice at the Council table – every Council Member has one vote and must consider the needs of the entire Municipality. But only Council as a whole can make decisions for the Municipality.
- 4.2 Individual Council Members, including the Head of Council, have no authority to unilaterally make decisions on behalf of the municipality, and may be held legally or financially liable if they do.
- 4.3 All Council Members must respect the Council decision even when they did not vote in favour.

HEAD OF COUNCIL

- 5.0 The Head of Council for the Municipality is to have the title of Reeve.
- 5.1 At the first regular meeting of Council in each year, Council must by resolution, appoint a Councillor as Deputy Reeve, who shall act in place of the Reeve when the Reeve is unable to carry out the powers, duties and functions of the Reeve.
- 5.2 In addition to performing the duties of a member of a Council, the Reeve has a duty to:
 - a) preside when in attendance at a Council meeting, except where the procedures by-law or the Municipal Act or any other Act otherwise provides;
 - b) to provide leadership and direction to the Council;
 - c) and to perform any other duty or function assigned to a Reeve or by the Municipal Act or any other Act.

COMMITTEES

- 6.0 The responsibilities of a Committee of Council are determined by the terms of reference resolution or by-law as approved by the whole of Council.
- 6.1 In this by-law, the objective of a Committee of Council is founded on the principle that the members of the Committee are stewards of their portfolio, and the Committee has the responsibility to consider and recommend to Council policies and by-laws, and to direct the affairs and oversee the conduct of its Portfolio.
- 6.2 Under normal circumstances the day-to-day functions within the Committee's portfolio should not be performed by the Committee or by the individual members.

COMMITTEE AUTHORITY

- 6.3 Standing Committees, Ad-Hoc Committees, and Committee of the Whole can only recommend; the decisions of the Committee are not binding unless passed by Council at a Council Meeting as a Resolution of Council.

STANDING COMMITTEES

- 7.0 The general duties of Standing Committees of Council shall be as follows:
 - a) to report from time to time on all matters connected with the duties imposed on the committee and to recommend such action as may be deemed necessary;
 - b) to prepare and introduce to Council all such by-laws as may be necessary to give effect to the reports of recommendations that are adopted by Council;
 - c) to consider and report respectively on any and all matters referred to them by Council;
- 7.1 The following committees are hereby established as the Standing Committees of Council:

- a) Legislative and Finance Committee;
- b) Personnel and Policy Committee;
- c) Protective Services Committee;
- d) Transportation Services Committee;
- e) Environmental Health Services Committee;
- f) Utility Committee;

7.2 The special duties of the Standing Committees, in addition to the aforesaid general duties, shall be as follows:

a) Legislative and Finance Committee

- 1) To supervise all contracts, orders, reports, recommendations and proceedings involving the expenditure of municipal funds.
- 2) To supervise all accounts, expenditures and outlay and all sums payable under contract before any monies are paid; and no account, claim or demand not expressly authorized to be paid by a statute, by-law, contract or resolution of Council, shall be paid until the same has been authorized by the Finance Committee and approved by Council.
- 3) To consider and report on all matters relating to municipal land, buildings and equipment, including their acquisition, maintenance and disposal.
- 4) To annually review and recommend to Council the types, rates and conditions of payments to be made to or on behalf of members of the Council and Council committees, as compensation and for expenses incurred while attending to municipal business, and for any other purpose relating to municipal business that the Council considers appropriate.

b) Personnel and Policy Committee

- 1) To consider salary, wage and benefits matters.
- 2) To assist with interviewing of new employees at the request of the CAO.
- 3) To consider and review personnel policy.
- 4) To consider and review job descriptions.
- 5) To consider and review grievances of employees, but only if the grievance has been first directed to the CAO, or the CAO requests Committee involvement. Employees or contractors shall not go directly to the Committee or individual Committee members.

c) Protective Services Committee

- 1) To review and make recommendations concerning all agreements with other authorities in the provision of police, fire and ambulance services.
- 2) To consider and report on all matters related to the municipal policing budget as presented by the Cornwallis Police Board.
- 3) To consider and make recommendations on the citizen appointment to the Cornwallis Police Board.

d) Transportation Services Committee

- 1) To consider and report on all matters relating to municipal roads and their opening, closing, altering, diverting and maintenance.
- 2) To consider and report on all matters relating to drainage.
- 3) To recommend to Council at the beginning of each year such projects, works and matters under its control as it considers essential to be carried out during the year, together with their detailed cost.

e) Environmental Health Services Committee

- 1) To consider and report on all matters relating to weed control, waste management and such other matters as may be referred by the Council.
- 2) To oversee the maintenance and development of recreational and public facilities including parks, playgrounds, cemeteries and waste transfer stations.

f) Utility Committee

- 1) To consider and report on all matters related to the development and operation of water and sewer utilities.

- 7.3 Each Standing Committee shall be composed of all members of Council of the municipality
- 7.4 At the first regular Council meeting held in November in the election year and in January of the next years, Council must consider expression of interest by members of Council, or recommendation by the Head of Council, for appointments to the Chair of the Standing Committees. Chair shall be appointed by Resolution of Council.
- 7.5 Meetings of the Standing Committees may be held as determined by each Standing Committee.
- 7.6 Committee Meetings are called by the Committee Chair, and must be called by the Chair, if the Chair receives a written request from at least two Committee members stating the purpose of the meeting. A copy of the written request must be served on the CAO.

AD-HOC COMMITTEE OF COUNCIL

- 7.7 An Ad-Hoc Committee of Council, is a committee that is formed for a specific purpose of objective which is dissolved after the completion of the objective. An Ad-hoc Committee is similar to a Standing Committee comprised of all members of Council to deal with a specific activity for a shorter period of time.
- 7.8 An Ad-Hoc Committee of Council may be appointed by resolution of Council at any time specifying the business to be dealt with by the Committee.

ROLE OF A STANDING OR AD-HOC COMMITTEE

- 7.9 Standing or Ad-Hoc Committees provide greater Council participation with a more thorough discussion and detailed research, and can be a source of information as they make recommendations to Council. Committees can focus and work through matters before presentation to the entire Council for consideration. Council may refer an issue to the Committee to utilize the Committee's expertise and review on a specific area or matter.
- 7.10 An appointment to any Standing or Ad-Hoc Committee of Council may be repealed only by a Resolution of Council.

COMMITTEE OF THE WHOLE

- 7.11 The Committee of the Whole is composed of the entire Council or all members of Council sitting as a Committee to consider the affairs of the Municipality.
- 7.12 The Reeve is the Chair of the Committee of the Whole.
- 7.13 Council may meet as a Committee of the Whole to consider strategic planning and goal setting, policy issues not included in the Standing or Ad-Hoc Committees, or any other matter.

7.14 STANDING, AD-HOC AND COMMITTEE OF THE WHOLE MEETINGS

- a) Committee Meetings are less formal than Council Meetings and the rules or order or procedure relaxed or less strict.
- b) In addition to the Committee Members, Committee meetings usually include the CAO and/or administrative employees and/or Department Heads.
- c) The agenda and supporting material is prepared by Administration with input from the Committee Chair two working days prior to the Committee meeting date.
- d) Information should be provided to the Administration at least four working days prior to the Committee meeting to allow for research, and items added at the Committee Meeting should be for discussion only.
- e) Committee Meetings shall not be videotaped or You-Tubed.
- f) Committee Meeting minutes shall be taken and the Committee Chair may

- report to Council on the Committee Meeting at a Council Meeting.
- g) Committee Meetings shall be conducted in the open and no person shall be excluded except for improper conduct.
- h) The Committee may close the Committee Meeting and go In-Camera per Section 152(3) of the Municipal Act and keep municipal matters confidential if they are discussed at a closed Committee Meeting.
- i) Councillors shall comply with the Council Code of Conduct during the Committee Meeting.
- j) Councillors must follow the Conflict of Interest Act by declaring a conflict where a personal interest may, or may appear to, conflict with their role as Councillor.

EXTERNAL COMMITTEES/ORGANIZATIONS

- 8.0 Council members may be required to sit on External Committees or Organizations throughout their term. The External Committees are:
- 1) Cornwallis Police Board
 - 2) Keystone Planning District
 - 3) Central Assiniboine Watershed District
 - 4) Western Caucus Group
 - 5) Brandon Salutes Committee.
- 8.1 The appointed Council Member serves as the Municipality's representative on the External Organization.
- 8.2 At the first regular meeting held in November in the election year and in January of the next years, Council considers expression of interest by members of Council or recommendation by the Head of Council for appointments to the External Committees. All appointments to the External Committees must be approved by resolution of Council.
- 8.3 The External Organization's correspondence, information, and Meeting agendas and minutes are sent directly to the representative Council Member and do not flow through the Municipal Office.
- 8.4 Councillors not appointed to the External Committees may attend the External Committee Meetings by advising the appointed Councillor, but they are not allowed to participate unless they are the appointed alternate and serving in that position.
- 8.5 The responsibilities of the appointed Councillor of the External Committees are:
- a) To report applicable decisions or requests of Council to the External Organization.
 - b) To participate as a member of the External Organization as set forth in the bylaws or policies of the External Organization.
 - c) To report to Council on the activities and meetings of the External Organization.
 - d) Where appropriate to provide Council with information concerning issues arising with the External Organization.
 - e) To keep themselves reasonably informed on the programs and projects relevant to the External Organization.
 - f) To attend External Organization's Meetings and be actively involved
 - g) To arrange for an alternate if unable to attend the meeting or event.

MUNICIPAL STAFF, CAO, AND COUNCIL GOVERNANCE

9. The Administration (CAO and Staff including Public Works Management) is responsible for providing advice and implementing Council's decisions and policies. The Administration takes care of the everyday work of running the Municipality.
- 9.1 The CAO is the only employee who reports directly to Council, with all other municipal employees reporting to the CAO. Council may, however, request through the CAO that other employees present to Council to share their expertise
- 9.2 No member of Council or Committee has the authority to interfere with the performance of any work being done for the Municipality by municipal staff, temporary workers, or contractors. Any personnel concerns that a member of Council may have shall be discussed directly with the CAO.

HEAD OF ADMINISTRATION – THE CHIEF ADMINISTRATIVE OFFICER

9.3 Council must establish and appoint someone to the position of Chief Administrative Officer (CAO). The CAO is the Head of Administration and Council's advisor.

9.4 The CAO responsibilities are: (Municipal Act Section 127(1))

- a) is the administrative head of the Municipality;
- b) is responsible for ensuring that the policies and programs of the Municipality are implemented;
- c) is responsible for advising and informing the Council on the operation and affairs of the Municipality;
- d) except as the Council may decide otherwise, is responsible for the management and supervision of the employees of the Municipality;
- e) carries out the powers, duties and functions assigned to a chief administrative officer by the Council or by this or any other Act; and
- f) must notify the Council if money of the municipality is spent or invested contrary to a by-law or resolution or this or any other Act.

9.5 The CAO administrative duties are: (Municipal Act Section 127(2))

- a) the minutes of every Council meeting are made without note or comment;
- b) the by-laws and minutes of Council meetings and all other records and books of account of the municipality are kept safe and in accordance with Division 1 (Retention and Disposition of Municipal Records) of Part 9;
- c) the revenues of the municipality are collected;
- d) money belonging to or held by the municipality is deposited in the bank, credit union, or trust corporation designated by the Council;
- e) the accounts for authorized expenditures of the municipality are paid;
- f) accurate records and books of account are kept of the financial affairs of the municipality; and
- g) any information requested of the municipality by the minister is provided within a reasonable time.

YOUTH MEMBER

10.0 The Municipality may, by resolution, appoint a person with the title "youth member" to sit with the Council and to participate in Council deliberations.

10.1 A youth member must be less than 18 years of age or enrolled as a full time student at a School Division having jurisdiction within the boundaries of the Municipality and must be a resident of The Rural Municipality of Cornwallis.

10.2 A youth member is not permitted to move or second any resolution nor is the youth member counted for the purpose of deciding a vote of the Council. A youth member is not allowed to participate in Committee of the Whole deliberations that are closed to the public.

10.3 The term of office for a youth member is to be established with the appointment but shall not exceed 1 year.

ASSOCIATION OF MANITOBA MUNICIPALITIES (AMM)

11.0 All Council Members shall be deemed to be appointed as representatives of the Municipality to the AMM. However, Council Members who wish to attend AMM Meetings, Conferences, Education Seminars, or Events require a resolution of Council authorizing their attendance.

BOARD OF REVISION

12.0 All members of Council shall constitute the Board of Revision.

12.1 The Reeve, or in the absence of the Reeve, the Deputy Reeve shall be the presiding officer and the Chief Administrative Officer or designate shall be the Secretary of the Board.

SIGNING AUTHORITY

13.0 All cheques and other negotiable instruments must be signed or authorized by:

- a) the Reeve, or Deputy Reeve, and the Chief Administrative Officer or designate; or
- b) in the event that the Reeve and Deputy Reeve are absent, a Council member, and the Chief Administrative Officer or designate.

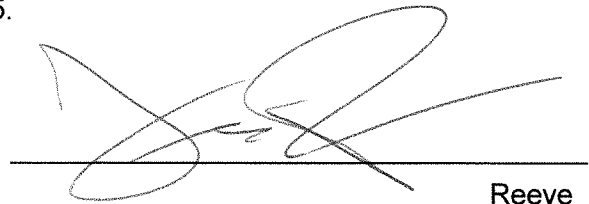
13.1 All agreements must be signed or authorized by:

- a) the Reeve, or in the absence of the Reeve, the Deputy Reeve, together with
- b) the Chief Administrative Officer, or in the absence of the Chief Administrative Officer, the designated Officer.

REPEAL

14. By-law No. 1690/03/2020 is repealed.

DONE AND PASSED as a by-law of The Rural Municipality of Cornwallis in the Province of Manitoba this 18th day of November, 2025.



Reeve



Chief Administrative Officer

Read a first time this 21st day of October 2025

Resolution No. 2025/328

Read a second time this 18th day of November 2025

Resolution No. 2025/354

Read a third time this 18th day of November 2025

Resolution No. 2025/355