



AGENDA ITEM

Appointment of Subdivision & Development Appeal Board Members (SDAB)
Local and Composite Assessment Review Board Members (LARB/CARB)

October 26, 2021 – Organizational Meeting

BACKGROUND

The membership of the current SDAB is as follows:

Garth Yeomans	Appointed December 31, 2010
Wade Martens	Appointed December 31, 2016
Linda McLevin	Appointed December 31, 2015
Denniece Crout	Appointed December 31, 2018
Anita Gillard	Appointed December 31, 2019

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)
Wade Martens (Red Deer County Resident)
Denniece Crout (Lacombe County Resident)
Anita Gillard (Village of Clive 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.

(a) Term of Appointment

Members of the Subdivision and Development Appeal Board shall be appointed at the pleasure of Council for a term of two (2) years and may be reappointed upon the expiry of the term at the pleasure of Council.

(b) 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 or up to six from the public at large.

Council may appoint up to six members from the public at large every two years 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:

(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.

All the current members are qualified to sit on LARB and CARB.

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, 2021.

Applications have been received from all current Board members.

Applications have also been received from:

Mike Lowry (Lacombe County Resident)

Alexis Soltice (Lacombe County Resident)

The applications will be sent separately by email as they contain confidential information.

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 five members to the Subdivision and Development Appeal Board.
- That Council appoint five members to the Assessment Review Board.
- That Council designate one of the ARB members as Chair of LARB.
- That Council designate one of the ARB members as Chair of CARB.

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REVIEWED BY: Tim Timmons, County Manager

