

Rural Municipality of Miltonvale Park
Bylaw to Regulate Remuneration of Council and Appointees
DRAFT Bylaw # 2022-03

BE IT ENACTED by the Council of the Rural Municipality of Miltonvale Park as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Remuneration Bylaw.”

2. Authority

- 2.1. Section 82 of the *Municipal Government Act*, R.S.P.E.I. 1988, Cap. M-12.1., enables Council, by bylaw, to establish the types, rates, and conditions of payments to be made to or on behalf of a member of the Council, a member of a Council committee or another person.

3. Application

- 3.1. This bylaw applies to all members of Council. For greater certainty, this includes the Mayor and any Deputy Mayor.

4. Definitions

- 4.1. “Act” means the *Municipal Government Act*.
- 4.2. “Chief Administrative Officer” or “CAO” means the administrative head of the Municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- 4.3. “Compensation” means a form of monetary payment for the performance of some work or service.
- 4.4. “Council” means the Mayor and other members of the Council of the Municipality.
- 4.5. “Councillor” means a member of Council other than the Mayor.
- 4.6. “Commission” means the Remuneration and Allowances Commission appointed pursuant to subsection 82(3) of the Act.
- 4.7. “Resolution” means a resolution duly made by Council in accordance with the Act during a regular meeting or a special meeting of Council.
- 4.8. “Remuneration” means both monetary payment for the performance of some work or service and non-monetary payments such as medical insurance, pension schemes, retirement benefits, etc.

5. Establishing a Remuneration Bylaw

- 5.1. Council may, by bylaw, establish the level of remuneration and reimbursement that ensures:

- (a) residents who have been elected to the position of Mayor, Deputy Mayor, or member of Council are provided reasonable remuneration for their service to the Municipality;
- (b) individuals who have been appointed by Council to municipal committees are provided reasonable remuneration for their service to the Municipality; and
- (c) the orderly and consistent payment and reimbursement to the Mayor, Deputy Mayor, Councillors, and committee members.

6. Remuneration of Council Members

- 6.1. The Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$75.00 per meeting attended. Meetings over three hours in length shall be counted as two meetings to a maximum of \$150.00 per day.
- 6.2. The Deputy Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$65.00 per meeting attended. Meetings over three hours in length shall be counted as two meetings to a maximum of \$130.00 per day.
- 6.3. The Finance Chair shall be paid remuneration for discharge of the duties of office in the amount of \$65.00 per meeting attended. Meetings over three hours in length shall be counted as two meetings to a maximum of \$130.00 per day.
- 6.4. The Planning Board Chair shall be paid remuneration for discharge of the duties of office in the amount of \$65.00 per meeting attended. Meetings over three hours in length shall be counted as two meetings to a maximum of \$130.00 per day.
- 6.5. Each other Councillor shall be paid remuneration for discharge of the duties of office in the amount of \$60.00 per meeting attended. Meetings over three hours in length shall be counted as two meetings to a maximum of \$120.00 per day.
- 6.6. Each year, remuneration shall be paid on or about March 31, June 30, September 30 and December 31, less any deductions required by law.

7. Allowance for Legitimate Expenses

- 7.1. The Mayor, Deputy Mayor, and Councillors shall be reimbursed for their legitimate expenses incurred through the execution of their duties as office holders of the municipality in accordance with Schedule "A" that is attached to, and forms part of, this bylaw.

8. Remuneration of Appointees

- 8.1. For the purpose of this section, "council committee" means a committee or other body established by the Municipality that has no members other than those members appointed by the Council.
- 8.2. Subject to 6.4, persons, other than members of Council, appointed by Council as members of the following council committees shall receive remuneration in the amount of \$60.00 per meeting:

- (a) Planning Board
- (b) Special Council Committees.

- 8.3. Any such appointee who attends less than 50% of all regular and special meetings of a Council committee during a calendar year, without a resolution of Council, shall be deemed to have resigned, notwithstanding that his or her term may not have expired.
- 8.4. Any appointees to a Council committee, who are nominated by external organizations or who must be a member of the particular external organization in order to qualify for appointment on a Council committee, shall not be eligible to receive remuneration from the Municipality.
- 8.5. Remuneration shall be paid on or about March 31, June 30, September 30 and December 31 each year, subject to the CAO receiving a report from the secretary of the Council committee detailing the attendance of each appointee.

9. Revisions to this Bylaw

- 9.1. Prior to making any amendments to this bylaw that alters existing types, rates and conditions of compensation, allowances or benefits to be paid to members of Council, Council shall, in accordance with section 82(3) of the Act, appoint an independent Commission.
- 9.2. The Commission shall be made up of three members, who shall not be members of Council or staff of the Municipality, but shall reside or work within the Municipality.
- 9.3. The members of the Commission shall be reimbursed for their time in accordance with the reimbursement amounts set out for appointees to committees under Section 6.
- 9.4. The Commission shall review and to make recommendations to council respecting the compensation, reimbursement or payments that should be made to members of council, giving consideration to:
 - (a) compensation, reimbursement and payment rates of comparably-sized municipalities;
 - (b) the budgetary impact of any changes to existing types, rates and conditions of compensation, allowances or benefits;
 - (c) the impact of any changes on the ability of the municipality to ensure an active and engaged council through the recruitment of candidates for election; and
 - (d) the time requirements associated with participation on council and council committees.
- 9.5. The Commission shall report to council within 120 days of being appointed or within another time frame identified in the resolution appointing the Commission.

10. Repeal of Existing Bylaw

- 10.1. Upon adoption, this bylaw replaces Bylaw No 2017-03.

11. Effective Date

11.1. This Remuneration Bylaw, Bylaw# 2022-03, shall be effective on the date of approval and adoption below.

First Reading:

This Remuneration Bylaw, Bylaw# 2022-03, was read a first time at the Council meeting held on the ____ day of September, 2022.

This Remuneration Bylaw, Bylaw# 2022-03, was approved by a majority of Council members present at the Council meeting held on the ____ day of September, 2022

Second Reading:

This Remuneration Bylaw, Bylaw# 2022-03, was read a second time at the Council meeting held on the ____ day of _____, 2022.

This Remuneration Bylaw, Bylaw# 2022-03, was approved by a majority of Council members present at the Council meeting held on the ____ day of _____, 2022

Approval and Adoption by Council:

This Remuneration Bylaw, Bylaw# 2022-03, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2022

12. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Remuneration Bylaw adopted by the Council of the Rural Municipality of Miltonvale Park on _
is certified to be a true copy.

Chief Administrative Officer Signature

Date

Schedule "A"

Mileage Reimbursement Rates

Mileage rates used to reimburse per kilometer travelled will be equal to the Government of Canada's Vehicle Rates used to calculate travel expenses for Prince Edward Island, as posted annually by the Canada Revenue Agency.

Meal Reimbursement Rates

Rates used to reimburse meals will be equal to the Government of Canada Meal Rates used to calculate travel expenses for Prince Edward Island, as posted annually by the Canada Revenue Agency.

Meal reimbursements shall be supported by receipts.

- a. No mileage will be paid for attendance at Council meetings, Council committee meetings, or for meetings held within the Municipality; Mileage allowance for meetings within the Municipality or at the Council office will be expensed against the per diem (i.e. will be used to reduce the taxable portion of the per diem), but will not add to the amount received by the Mayor or any Councillor or Committee member.
- b. Mileage allowances for meetings outside the Municipality, or Council office, will be paid in addition to the meeting per diem.
- c. No meal allowances will be paid for attendance at Council meetings, Council committee meetings, or for meetings held within the Municipality; however, meal allowance for meetings within the Municipality or at the Council office will be expensed against the per diem (i.e. will be used to reduce the taxable portion of the per diem), but will not add to the amount received by the Mayor or Councillor.

The Mayor and members of Council may be reimbursed for other expenses, incidental and necessary for the performance of their municipal duties, as approved by the Council and supported by receipts.