



ALBERTA
MUNICIPAL AFFAIRS


*Office of the Minister
MLA, Calgary-Hays*

MINISTERIAL ORDER NO.MSD:008/24

I, Ric Mclver, Minister of Municipal Affairs, as the result of an inspection conducted under Section 571 of the *Municipal Government Act (MGA)*, consider that the Village of Andrew is managed in an irregular, improper, or improvident manner, and pursuant to Section 574 of the *MGA*, make the following order:

That the council and Chief Administrative Officer for the Village of Andrew must carry out the directives attached as Schedule A to this order.

Dated at Edmonton, Alberta, this 30 day of January, 2024.



Ric Mclver
Minister of Municipal Affairs

#	Directive	Due Date
1.	<p>I direct council and the Chief Administrative Officer (CAO) to review all recommendations made to the Village of Andrew in the inspection report and prepare a detailed action plan and timeline to be submitted to the Minister on how the village will address each recommendation in the inspection report or an explanation on why no action will be taken for any individual recommendation(s).</p> <p>The review of the inspection report recommendations and preparation of the detailed action plan and timeline are to be conducted entirely within council meetings open to the public and approved by council resolution.</p>	March 29, 2024
2.	<p>I direct the CAO to provide printed copies of the inspection report to the public, on request, subject to the municipality's fees for photocopying, and to place the inspection report on the village website until all directives have been met to my satisfaction.</p>	Immediate
3.	<p>I direct council to adopt a bylaw specifying the Village of Andrew Council is comprised of five members, or to inform me in writing that the village will conduct the 2025 municipal general election in accordance with Section 143(2) of the <i>MGA</i> with a council to consist of three members.</p>	December 31, 2024
4.	<p>a) I direct council to review its current procedural bylaw and determine what changes, if any, are warranted based on the findings of the inspection report, specifically taking into consideration provisions related to council quorum, closed sessions of council, special meetings, expulsion of members of council for improper conduct, amending bylaws by resolution of council, and council roles and responsibilities in compliance with the <i>MGA</i>.</p> <p>The review of the procedural bylaw is to be conducted entirely within council meetings open to the public.</p>	October 31, 2024
	<p>b) I direct council and the CAO to prepare an action plan and timeline to be submitted to the Minister on the implementation by the village of any changes to the procedural bylaw, or an explanation why no action will be taken.</p> <p>The preparation of the action plan and timeline are to be conducted entirely within council meetings open to the public and approved by council resolution.</p>	October 31, 2024
5.	<p>I direct council and the CAO to repeal and replace or amend the code of conduct bylaw to remove all provisions authorizing council to determine the validity of code of conduct complaints, and to require the appointment of an independent third party, by council resolution, who is not currently an employee or contractor of the village, to handle all outstanding and future complaints, including receiving complaints, conducting preliminary reviews, documenting, investigating, and presenting the findings, and recommending appropriate sanctions to council for consideration.</p>	October 31, 2024
6.	<p>a) I direct council and the CAO to review the current assessment review board bylaw and determine what changes, if any, are warranted based on the findings of the inspection report, specifically taking into consideration provisions relating to the appointment of members to the boards, training of members, and appointment of the board chairperson and clerk.</p> <p>The review of the assessment review board bylaw is to be conducted</p>	October 31, 2024

#	Directive	Due Date
	<p>entirely within council meetings open to the public.</p> <p>b) I direct council and the CAO to prepare an action plan and timeline to be submitted to the Minister on the plan for the village for implementing any changes to the assessment review board bylaw, or an explanation why no action will be taken.</p> <p>The preparation of the action plan and timeline are to be conducted entirely within council meetings open to the public and approved by council resolution.</p> <p>c) I direct council and the CAO to provide to the Minister a timeline for the establishment, training, and appointment of Local and Composite Assessment Review Boards as required by the <i>MGA</i>.</p>	<p>October 31, 2024</p>
7.	<p>I direct council and the CAO to contract a qualified accounting firm to undertake a review of the 2023 tax rate bylaw to determine any over/under levies for the 2023 taxation year and provide a report to council for inclusion in the 2024 tax rate bylaw.</p>	<p>April 30, 2024</p>
8.	<p>I direct council and the CAO to prepare, and the council to adopt, policies relating to the following matters:</p> <ul style="list-style-type: none"> a) Human resources policies, including (but not limited to) policies relating to occupational health and safety, employment contracts, job descriptions, and physical security of work locations. b) Tax recovery policies to ensure the annual implementation of property tax recovery, and that the tax recovery process meets all <i>MGA</i> guidelines including (but not limited to) preparing tax arrears lists, notification, setting reserve prices and the terms and conditions of sale, and conduct of the tax recovery auction. c) Financial policies, including (but not limited to) financial reporting to council, procedures for verifying expenses not included in a budget, operating and capital budgets, 3-year operating and 5-year capital plans, and bank reconciliations. 	<p>October 31, 2024</p>
9.	<p>I direct all members of council to discontinue exercising a power or function or performing any duties that are assigned to the CAO in accordance with Section 201(2) of the <i>Municipal Government Act</i>.</p>	<p>Ongoing</p>
10.	<p>I direct all members of council to attend a roles and responsibilities workshop conducted by Municipal Affairs staff.</p>	<p>October 31, 2024</p>
11.	<p>I direct council and the CAO to prepare and provide a report to the Minister, by the 20th of every month, summarizing council's progress to the end of the previous month on the directives issued, until such time that all directives have been completed to the Minister's satisfaction. In addition to other documents to be submitted as stated in any directive, the bi-monthly report shall also include all approved council meeting agendas (attachments not required), bylaws passed by council, policies adopted by council, and approved, signed council meeting minutes for the relevant period.</p>	<p>Commencing April 20, 2024, and ongoing every month until the directives have been completed to the satisfaction of the Minister</p>
	<p>b) I direct the CAO to make these reports publicly available by posting them on the village website within seven days of sending to the Minister.</p>	<p>Ongoing</p>
<p>I may order further directives as a result of the inspection pursuant to Section 574, and further to actions taken on the directives made in this order.</p>		