

# The Role & Responsibilities of Regional Directors

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Under the Community Charter  
and the Local Government Act

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## Introduction

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The subject of this paper is the role of both municipal and electoral area directors on a Regional District Board. The audience for this presentation is electoral area directors. However, for them to fully understand their role, it is helpful to understand the roles of the other players in the regional district organization – municipal directors and regional district administrators and employees.

The specific questions that we will address, but not necessarily answer definitively, are the following:

- What does a Regional Director do?
- What must a Regional Director do?
- Is a Regional Director a policy maker or a manager?
- Who does the Municipal Director represent - the exact wishes of the municipal director's council or the municipal director's individual conscience or political leanings?

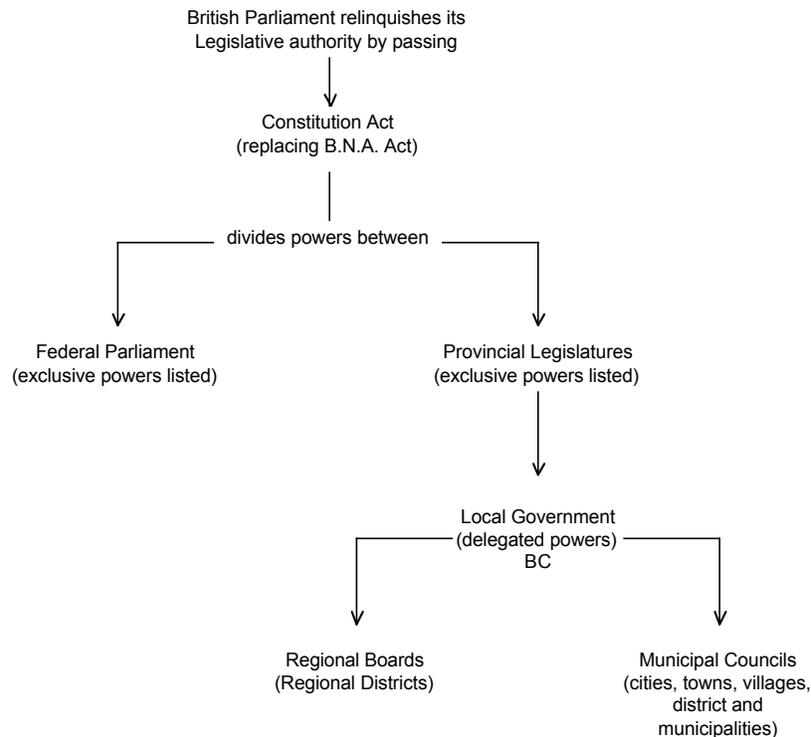
These questions go to the heart, if not the soul, of what a Regional Director represents. The author does not purport to have all of the answers, but anticipates that a discussion of these questions may result in individual directors finding a path that they may follow comfortably. This paper will touch on what the Local Government Act says or omits to say about the role of a Regional Director.

For those of you who are not aware of the history of Regional Districts, you may be interested in the constitutional and historical background information of Regional Districts in British Columbia in the following section 2. This information is based on a paper that was prepared by Lorena Staples, Q.C. and Thomas Moore, former Deputy Inspector of Municipalities, for publication by UBCM in 1985, under the title "Division of Responsibilities: Regional Districts in British Columbia".

## Constitutional and Historical Background

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Sections 91 and 92 of the British North America Act, which now forms part of the Canadian Constitution, divide Powers and responsibilities between the Federal and Provincial Governments. The Provinces were assigned the responsibility for local government. The Provinces, In turn, delegate power to local government through provincial legislation.



During the formative years of the Province of British Columbia, Provincial legislation addressed community interests and assigned powers to municipalities. Unlike most other provinces, British Columbia did not have an established local government authority over the greater landmass of the province where approximately 25% of its population was located. Geography of the province isolated most communities from one another and development of adequate transportation links did not take place in many areas until after World War II. The people in the areas outside of municipalities had few incentives to organize themselves into local government entities. If they wished to upgrade services over those provided by the province, they could incorporate a municipality or improvement district. Land use control was sparsely exercised and uncontrolled development took place in areas immediately adjacent to municipal boundaries. No institution was available to address major issues of a regional nature.

In 1964 the Municipal Act was amended to authorize the incorporation of Regional Districts, and in 1965 the Regional Hospital District Act was enacted. Over the next three years 28 regional districts were incorporated covering the greater portion of the province. Regional Hospital Districts were incorporated with coterminous boundaries. Every attempt was made to create regional units that would meet the topographical constraints of the province. At the same time, transportation corridors, community development patterns and population constraints, and real property assessment values were considered. Municipalities, while being made members of

regional districts, maintained their existing local government structure. Non-municipal (unincorporated) areas are divided into electoral areas. Municipal representatives on regional boards are appointed by their Councils and electoral area representatives are elected by the people in those areas.

The early legislation permitted regional districts to provide services or enact regulations on a functional or specified area basis. Certain functions, such as administration and land use control, were assigned directly by the legislation.

Because the population of the various units comprising regional districts varied, the legislation provided for weighted voting by the Directors on the regional board. Letters Patent establish the voting units and a Director cannot have more than five votes [Section 783(5)]. If, upon applying the voting formula, a Director has more than 5 votes, then an additional Director has to be appointed or elected and the votes divided between them. Section 783 of the *Local Government Act* outlines the composition of the Board and voting rights.

Electoral Area Directors are elected for three years and municipal Directors are appointed by their councils until December 31 in the year of a general election.

## Local Government Act and Community Charter

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The *Community Charter* (the "Charter") came into force on January 1, 2004.

The Charter's current focus is on municipalities. Regional Districts may be dealt with at a later stage of the development of the Charter, as is Planning and Land Use Management and the other parts of the *Local Government Act* not included in the current version of the Charter. Bill 76 (the *Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act*, 2003), a companion bill to the Charter, was also brought into force and effect at the same time as the Charter.

From a regional district point of view, what Bill 76 did was rewrite the parts of the *Local Government Act* that formerly concerned both municipalities and regional districts so that those parts apply only to regional districts. The parts that concern purpose, principles and interpretation; corporate powers and their use; officers and employees; boards and meetings; are but a few examples of these transitional provisions that will tide over the regional districts until their legislation is revamped. The net effect is to place the legislation governing municipalities into the Charter and leave those affecting regional districts in the *Local Government Act*.

In addition there are some sections of the *Community Charter* that are made applicable to regional districts.

Regional District responsibilities, including any touching on the role of a Regional Board Director, will continue to be found in the *Local Government Act* as amended by Bill 76. This Act confers certain powers and responsibilities on Regional Districts and sets out the limitations on the exercise of those powers and responsibilities. There are other Acts that govern Regional Districts, but for the purpose of this paper, we are concerned primarily with the *Local Government Act*.

Regional district directors, officers and employees will find it essential to have a consolidated version of the *Community Charter* and the *Local Government Act* in order to determine the basic rules governing regional districts and their roles.

## Directors' Political Representation

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Section 784 of the *Local Government Act* provides for the appointment and term of office of municipal directors. Each municipal director is appointed at pleasure by the council from among its members, as contrasted to electoral area directors who, under Section 785, are directly elected to the Board by the electors in their respective electoral areas.

Does this mean then that the electoral area directors represent their electors, while the municipal directors represent the municipal council, and only indirectly represent the electors who voted to put them in office as a municipal council member? This may very well be a logical inference of the distinction between how municipal directors and electoral area directors find their way to the Regional Board, but nothing in the *Local Government Act* specifically points to that sort of difference between the two classes of directors.

The Act is silent on whether a municipal director must toe the party line, so to speak, and vote as directed by the municipal council. There is also nothing in the *Local Government Act* that says that a municipal director must vote according to his/her own conscience or political inclinations.

There is a significant phrase in Section 784 and that is that each municipal director is to be appointed **at pleasure** by the council from among its members. This means that the municipal director may have his or her appointment to the Board terminated by the council at any time.

This does indeed appear to attach a string from the municipal council to the municipal director. In other words, if the council is unhappy with the performance of the municipal director at the regional board, then the council may terminate the appointment and appoint some other member of council to be that municipality's director at the regional board table. This is not so with electoral area directors, who face the electors only once every three years.

The foregoing political realities may indeed dictate the answer to the question of whose position does the municipal director represent. As to the question of whether the director is a policy maker or a manager, please refer to the following updated excerpts from the 1985 Staples/Moore paper.

The discussion under the heading "political representation" may put a different complexion on the question of whose views does the municipal director reflect, especially in the discussion of making decisions in a regional rather than a local context.

## **Responsibilities of Regional Board Directors**

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### **Political Representation**

First let us examine the Regional Board's role in the overall administration of a Regional District. The Board is composed of Directors that are directly elected in the Electoral Areas and appointed by the Councils of the member municipalities from their own membership.

Membership in the Board arises through the political process and therefore the primary role of Directors is to meet political responsibilities as representatives of those areas for which they have been elected or appointed. The Electoral Area Directors gain office by putting before the people a political platform that is found to be acceptable by a majority of the voters. The Municipal Director has been elected as a councillor or mayor and is appointed by Council to the Board because he or she has regional political views, which the Council feels are in keeping with the municipality's interests.

The District of Saanich and some other municipalities have taken an interesting approach in the 1999 and subsequent elections that may bear on this issue. Candidates have the option of running for the dual office of municipal councillor/regional board director, the implication being that the District will let the electors determine which councillors would be appointed to the Capital Regional District Board from Saanich, rather than Saanich council making the choice. In Ontario's two tier system with a regional municipality and member municipalities, the mayors are automatically on the regional board and those running for council who also want to be on that board must run under a dual banner. Perhaps this is the direction that BC will take under the revamped regional district legislation yet to come.

Once in office, one of the basic duties of the Director is to determine the wishes of the people that he or she represents before voting on matters on the Board's agenda. At the same time he or she must be prepared to examine an issue to determine its regional impact before voting on it.

Many times a Director will be faced with a decision that does not necessarily fully satisfy the needs of the area he or she represents but is for the betterment of the region as a whole. In these situations, the Director may have to make a political decision that may not be acceptable to the greater portion of the electorate he or she represents, or in the case of a Municipal Director, may not be in keeping with Council policy. Balancing various competing interests is an integral part of the decision making role of Regional Board members, whether directly elected or appointed by Council.

### **Policy Formulation**

Another major responsibility of the Board is policy formulation. Directors are responsible for adopting many forms of policy that cover a broad spectrum of subjects. Policy affects political direction, internal administrative functions, Board procedure, local legislation (bylaws), provision of services, financial responsibilities, legal liabilities, intergovernmental relations and all other functions of the Regional District.

Before policies can be adopted, information must be gathered and placed before the Board to enable the Directors to make a decision. The policy decision may be in the form of a resolution or bylaw. Generally speaking, the Board acts by way of resolution, except where the establishing legislation or Letters Patent requires a bylaw. The record of passage of these instruments of policy should be accurately recorded in the minutes of the meeting at which the policy is adopted.

Action should not be undertaken on behalf of the Regional District unless the Board has first established the policy.

When policy is being adopted the Directors should consider:

- (a) the legal limitations within which the Regional District may operate;
- (b) the general feeling of the electorate;
- (c) the technical, financial and administrative implications (this information should be provided through reports compiled by technical staff); and
- (d) the effects of the policy on the Regional District as a whole.

Once a policy is established, any changes should be made by following the same procedures as those required for adoption of the original policy. Neither a Director nor administrative staff should take it upon themselves to vary or lessen the impact of a policy unless a suitable amendment has been authorized by the Board.

No one has the authority to dispense special privileges. Policies must be of general application, and apply equally to all, except where provincial legislation provides otherwise. (e.g. Board of Variance).

### **Confidentiality**

Another important responsibility of Board members is to maintain confidentiality. Bill 76 incorporated the confidentiality rules of section 117 of the *Community Charter* into section 787.1 of the *Local Government Act*. A director or former director must keep in confidence any records held in confidence by the regional district as well as information considered in any part of an in camera meeting until such time as those records or information may be lawfully released to the public. If the regional district suffers loss or damage as a result of a director contravening this section, the regional district may recover the damages from the director.

Those matters that under the *Community Charter* warrant "in camera" meetings are confidential matters such as legal advice, personnel issues and land transactions. These matters concern the assets and liabilities of the local government corporation, of which the directors are the stewards under section 2(c) of the *Local Government Act*. That is why it is important that Board members not divulge either the contents of the discussion or the final decision. The only information that should be released should be in the form of a formal Board statement.

If a director discloses a confidence and the regional district suffers damages as a result, the regional district may sue the director personally to recover damages, in accordance with section 117(2) of the *Community Charter*.

### **Intergovernmental Relations**

The Board also has responsibility for intergovernmental relations. The Chair is normally the spokesperson. Designated members of the Board may carry forward particular concerns of the Regional District to other governmental agencies but only when the Board has first sanctioned such action.

At times, overtures will be made to the Provincial and Federal Governments or to Councils of member municipalities but care should be taken to ensure that the Board has been informed and consents to it before action is taken. On occasion a Director may, because of his or her political assessment of a situation, decide to make an individual representation, but such an action should only be taken in extreme circumstances. Other government agencies are well aware of the correct protocol in such situations and will not consider the representation as a statement of the Board.

## **Procedure Bylaw and Other Bylaws**

To ensure that meetings are run in an orderly and lawful manner, a procedure bylaw must be adopted. This document provides the Chair with legal authority to control meetings and procedures. Together with *Local Government Act* requirements, it helps to ensure the validity of bylaws.

Bylaws that establish services, enact regulations, adopt the annual budget, or authorize a contract or a loan, must be adopted by the Board before they can be of any force or effect. Amendments or variations to these documents can only be instituted if authorized by an amending bylaw adopted by the Board.

## **Financial Plan and Budget**

Financing the operations of the Regional District is another basic responsibility of the Board. No expenditures can be made unless they are included in the Financial Plan (budget and capital expenditures). The Board is responsible for all expenditures incurred by the Regional District. It must carefully scrutinize all of the budget items, notwithstanding that the administrative staff may have prepared the initial draft budget.

The first item to be identified under the functional portions of the budget is the preceding year's surplus or deficit if the provisions of the *Local Government Act* are to be met. The Board should be aware that the Regional District cannot budget for a deficit except for the year in which a service is established.

The Board is required to hold a Board or other public meeting by June 30 each year to present the audited financial statements of the preceding year as well as the report of the remuneration, expenses and contracts for each Board member (section 814.1).

## **Establishing Staff Positions - Hiring and Firing**

Under the *Local Government Act*, only the Board has the power to hire and fire the statutory officers whose positions are mandated by that Act – corporate administration and financial administration. This task cannot be delegated and remains the direct responsibility of the Board.

The Board may establish other positions as "officer" positions. In doing so, it invokes certain provisions of the Act that apply only to officers – oath of office requirement and termination procedures (only the Board may terminate an officer), for example.

In addition, before any hiring of other employees can be implemented, the Board is responsible for establishing those positions. The Board can delegate the hiring and firing of those employees to one or more of its senior administrators. Before making these decisions, the Board may wish to consider recommendations from administrative staff.

The termination of an officer of the regional district is the sole responsibility of the Board (Section 202). The Chair has the authority of a mayor under Section 218 of the Act to suspend an officer or employee, but his action must be reviewed by the Board and either be supported or rescinded by resolution. Promotion and discipline of non-management employees may be governed by a collective agreement under Section 200.

## **Membership of Standing and Select Committees**

Section 795(2) of the *Local Government Act* empowers the Chair to establish standing committees and appoint Directors to those committees. Usually standing committees are established at the inaugural meeting of the Board and the Chair appoints the membership at that time.

Select committees, on the other hand, are appointed by the Board (Section 795(1)) and these committees report directly to the Board.

Persons who are not directors may be appointed to standing and select committees of the Board, but at least one member of each of those committees must be a director (section 792(3) and (4)).

Standing committees may be delegated specific executive or administrative powers (Section 176(1)(e)) but such delegation must be by bylaw adopted by at least 2/3 of the votes cast. (Section 192).

### **Commissions**

The Regional Board, under Section 176(1)(g), may establish commissions to

- (i) operate services of the regional district,
- (ii) undertake operation and enforcement in relation to the board's exercise of its regulatory authority, and
- (iii) manage property or an interest in property held by the regional district.

Neither committees nor commissions can be granted budgetary authority or delegated the power to appoint, suspend or terminate Regional District Officers. (section 191)

### **Hearings**

Hearings are another responsibility of the Regional Board and it is in this area that some confusion exists as to the role of the Directors. There is a difference between a public hearing and an information meeting. Public hearings are a legal requirement at which certain rules and principles must be followed, whereas information meetings are held as desired by the Board.

A hearing is not simply a forum at which questions are posed and answers are given. As the word "hearing" implies, the Directors attend to hear representations of those interested in the subject matter and to gather information upon which to base a decision. The Board then considers the submissions, together with other pertinent information, and makes its decision. Once a hearing is held, only the information available up to the time when the hearing adjourns should be considered. If new information becomes available a further public hearing should be convened.

The rules of natural justice and procedural fairness require local governments to:

- give notice to persons affected by the proposed legislation,
- provide to such persons an opportunity to be heard,
- conduct the hearing fairly,
- act in good faith,
- act without bias,
- not discriminate without express authority,
- avoid conflicts of interest, and
- balance public and private interests.

### **Liability**

The Board is responsible for all actions that would expose the regional district to liability or court action. The validity of decision making by local government depends upon

- having statutory authority to make the decision,
- correctly following statutory procedural requirements,
- following its own procedural requirements, and
- following the rules of natural justice where property rights are affected, and the principles of Canada's Charter of Rights and Freedoms.

### **Disclosure of Gifts and Personal Benefits**

This was introduced with the Community Charter and is of great importance to all local government elected officials. Council and board members should keep track of any gifts and personal benefits received on account of their political office so they are able to comply with section 106 of the Community Charter.

#### **Community Charter**

The Community Charter contains the following rules:

A council member is **prohibited** by section 105 from accepting, directly or indirectly, a fee, gift or personal benefit connected with that member's performance of the duties of office. However, this does not apply to

- a gift or personal benefit received as an incident of the protocol or social obligations that normally accompany the responsibilities of office,
- compensation authorized by law, or
- a lawful contribution made to a member who is a candidate for election to the local government.

Certain gifts must be **disclosed** under section 106 by filing a disclosure statement with the corporate officer of the local government as soon as is reasonably practicable: where a gift or personal benefit exceeds \$250.00 or the total value of such gifts and benefits, received directly or indirectly from one source in any 12 month period, exceeds \$250.00.

Contravention of either section 105 or 106 results in the member's disqualification from holding local government office until the next general election, unless the contravention was done inadvertently or because of an error of judgment made in good faith.

#### **Reasonable Efforts to Disclose**

By keeping track of these kinds of gifts and personal benefits received, municipal councillors and regional district board members will be able to show that they used reasonable efforts to file a disclosure statement in accordance with section 106 of the Community Charter. For the purposes of section 106(1) this will require keeping a record of gifts and benefits received that individually, and collectively received from one source in a 12 month period, have a value in excess of \$250.00.

#### **Disclosure Statement**

The disclosure statement must indicate

- the nature of the gift or benefit
- the source, including, if it is from a corporation, the full names and addresses of at least 2 individuals who are directors of the corporation
- when it was received, and
- the circumstances under which it was given and accepted.

### **Suggested Policy: Gifts are Local Government Property**

The Community Charter does not indicate that the obligation to make the disclosure ceases to apply if the member transfers ownership of the gift to the local government.

It is possible that a local government policy that gifts are automatically the property of the local government might avoid the disclosure requirement for those gifts. Apparently, the US government has such a policy, according to news reports about the furor over the alleged removal of government property after the Clintons left office.

Of course, the policy could not be applicable to personal benefits that are capable of being used only by the original recipient or must be consumed at the time of giving, such as dinners, golf games, ski passes and the like.

### **Conflict of Interest**

Directors are governed by the rules relating to conflict of interest in Part 4, Division 6 of the *Community Charter*, which are extensive and cover such additional matters as the disclosure rules in item (l) above and restrictions on the use of insider information.

In addition to the statutory rules, there are common law rules that have evolved over a century of judgments that govern matters arising out of pecuniary and non-pecuniary conflicts of interest. This topic is too broad to include in this paper, but is one which deserves attention from directors to ensure that the rules relating to conflict of interest are respected. A failure to comply with the statutory requirements can result in the severe consequence of disqualification from office.

### **Comment**

The foregoing sums up the responsibilities of the Regional Director. Collectively, these constitute the "role" of the Regional Director, both electoral area and municipal directors. They are distinct from the role of the Regional District Officers and employees which are set out in the next section.

There are many reasons why directors should not assume the management responsibilities of the administration, and these have been discussed in various presentations by consultants and others at UBCM conferences. The key reason is that directors have a duty to formulate policy and keep their focus on policy matters and micro managing takes time away from that primary duty.

The responsibilities of a director to the director's constituents, as well as the policy formulation responsibility, are both quite time consuming, but absolutely necessary. Focusing on the policy-making role is crucial for a regional district to function as it should. If directors shift their focus to the day to day management of the regional district (the implementation of the board's policies and the overall housekeeping issues that concern the regional district's administration), then the directors will not only lose their essential focus as policy makers and political representatives, but will take away valuable time from those duties and responsibilities.

## **Responsibilities of Regional District Officers and Employees**

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### **Organizational Control and Operations**

The Regional District's Administration is commissioned with the day to day operation of the Regional District and is limited by the policies and bylaws of the Regional Board, the requirements of the *Local Government Act* and the *Community Charter* where applicable, the regional district's bylaws, Letters Patent and supplementary Letters Patent, and other relevant statutes.

The composition of the administrative organization consists of the mandatory statutory offices of Corporate and Financial Administration. The Board may also may appoint a chief administrative officer, and other employees whose positions have been established by the Regional Board. The Board is required to fill the corporate and financial offices (Sections 198 and 199). The same person may be appointed to both positions. The Board must appoint an independent auditor.

Organizational control is exercised through the bureaucratic hierarchy headed by the chief administrative officer. The flow of information from the Regional Board to staff and in turn the flow of information from staff to the Regional Board generally follows organizational lines and care should be taken to meet the formal lines of communication. This practice should not, however, prohibit the use of informal lines of communication, particularly those of Department Heads to committees of the Board or to the Board itself, if the occasion warrants.

Organizational control should be exercised in such a way as to be certain that everyone in authority is aware of all available information, resulting in adherence to the policies of the Board and consistent enforcement of bylaws. The administration is responsible for keeping the Board informed, as well as keeping its staff up to date on policy.

Formal evaluation of employees should be instituted to ensure consistent performance of the work assigned. The information gathered can be useful in upgrading an employee's work performance and identifying substandard performance. In today's work place, if an employee is to be dismissed for non-performance, the work history of that employee should be fully documented. If not, upon dismissal the employee could demand a substantial severance payment.

In addition, to ensure that employees are aware of their job requirements, a general job description for each position may be compiled. Fair and objective evaluation of an employee's performance is difficult to establish otherwise. Job descriptions also make it easier to establish a formal organizational chart, which in turn assists the employee in identifying the employee's role within the hierarchy and prevents end running of supervisors. This kind of objectivity in the organizational framework and control may even contribute to better morale.

### **Administration of Bylaws**

The chief administrative officer and the corporate administrator should make sure that they are aware of the requirements of the procedure bylaws and parliamentary procedures, in case they are called upon to advise the Chair and the Board on procedural matters during a Board meeting. Failure to provide accurate procedural advice could result in a successful court challenge of a decision made by the Board.

Once regulatory bylaws are adopted by the Board, the day to day administration of the bylaws is the responsibility of the administration. Building Inspectors, Bylaw Enforcement Officers, Animal Control Officers and other specific officials are charged with the day to day administration of the bylaws that are under their jurisdiction. They have no authority to waive or lessen the

requirements in order to accommodate special circumstances. If the bylaws are not suitable, then formal amendments should be submitted to the Regional Board for consideration. The Board is ultimately responsible to ensure that the enforcement of the regulations occurs only through legal processes and not through political pressure.

Coupled with the responsibility to administer bylaws, the administration is also responsible for drafting bylaws for the consideration of the Board. All draft bylaws should be accompanied by comprehensive reports that identify the relevant legislative authority and all information available on the subject matter so that the Board can make an informed decision.

In most instances legal advice should be sought both on the terminology in the bylaw and on the legal ramifications of implementing the regulations. Failure to research all known facets of the subject matter could result in a successful challenge in the courts with part or all of the bylaw being quashed. This is where the old adage "an ounce of prevention is worth a pound of cure" is very apt.

### **Administration of Financial Plans (Budgets)**

One of the most fundamental duties of the administration lies in the area of financial responsibility. The Regional District cannot operate successfully without adequate financial controls. The basic control tool is the Financial Plan, including the Provisional Budget, Annual Budget and the Capital Expenditure Plan. While the adoption of the Plan is the responsibility of the Regional Board, the preparation of the initial document is the responsibility of the administration.

Under the *Local Government Act*, the Regional Board must adopt a Financial Plan by March 31 (Section 815) annually by bylaw for a planning period of 5 years. The Board is required to undertake a process of public consultation regarding the proposed Plan before it is adopted (section 816).

In preparing the Plan, the administration must keep in mind the legislative limitations; limitations set out in establishing bylaws; supplementary Letters Patent, where applicable; and specified area bylaws. Each service should be identified separately in the budget and funds may not be transferred from one service to another (Section 814).

The financial needs of each service should be thoroughly researched and the financial picture reflected in the draft Plan should be accurately presented. When the Plan is forwarded to the Regional Board, all background information should be made available. The final Plan will, of course, reflect both technical and political needs.

Once the Financial Plan is adopted, the administration's responsibility is to operate the Regional District within the financial limitations set out in the Plan. If changes are required the Board should be advised and formal amendments made.

The administration is required to keep adequate records of all financial transactions subject to audit. The financial administrator is the statutory officer charged with the duties of administering the financial area of responsibility (Section 199).

The Financial Plan includes the long term (5 years) capital expenditure program for each service. Preparation of a capital program in a regional district is more difficult than in a municipality. The reason is the Regional Board is expected to respond to requests rather than initiate projects as Councils do. Nevertheless, the program should as accurately as possible identify the long term capital needs that the Regional District as a whole may be expected to carry.

The administration, as with the current budget part of the Plan, should prepare a preliminary Capital Expenditure Program for the Regional Board's consideration based on the best knowledge available. The final document, once adopted by the Board as part of the Financial Plan, will reflect both technical and political considerations.

After the Financial Plan is adopted, the designated regional district officer is required, on or before April 10, to deliver to each member municipality a requisition stating the amount required from that member for the year (Section 805). For the amount required by the electoral areas, the requisition is sent to the Inspector of Municipalities. The Inspector, upon being satisfied that the requisition is in order, forwards the requisition or amended requisition to the Minister of Finance, whose Surveyor of Taxes will levy the required taxes on properties in the electoral areas.

### **Duties and Responsibilities of the Auditor**

The appointment of the Auditor is a statutory requirement. The Regional Board is responsible for the appointment (Section 814 and 331) and the duties of the Auditor are found in Division 2 of Part 6 of the *Community Charter*. The Board is required to hold a Board or other public meeting by June 30 each year to present the audited financial statements of the preceding year.

### **Policy Implementation**

The Regional Board will from time to time give policy direction in its areas of responsibility. The administration has the responsibility of seeing that the policies are carried out and also the duty to make sure that all members of staff are aware of the current policies. Failure to make reference to current policies can lead to misinformation of the public and costly errors. Inadequate communication can be identified as one of the most common faults in many administrations.

### **Recommendations and Reports to Board**

Another basic responsibility of Administration is to compile reports and make recommendations on all subjects that are to be considered by the Board. Reports on matters relating to services should be fully researched and contain information, where applicable, in the areas of administration, finance, engineering, and land use planning. When available Information has been compiled, the reports should identify all known alternative solutions and recommendations should be made accordingly.

Reams of information with no concise summary or recommendations are of little value to the Directors in making the final decision and giving policy direction. The success of a project often depends upon the accuracy of the information provided and the assessment of the information contained in the recommendations.

### **Informing the Board**

Last but not least, the administration is responsible for keeping the Regional Board informed on the progress of all regional matters. One of the best ways to meet that need is to prepare monthly reports to update the Directors on the events that have taken place during the month. While these reports are being prepared, senior staff have an opportunity to assess the progress that has been made from the month before and to institute remedies where progress has not been satisfactory. The Board, on receiving the information, is also in a better position to determine whether or not political ends are being met and existing policies are adequate. Administrators should remember that the final responsibility for all matters rests with the Board and that good decisions are usually informed decisions.

**Comment**

From the foregoing you can see that the administration, like the Board, has a great deal of work to do in their respective areas of responsibility. Experts in the fields of local government policy and administration are unanimously agreed that the roles of policy makers and administrators should be kept separate.