

**AGENDA FOR THE ORGANIZATIONAL MEETING OF
THE COUNCIL OF THE TOWN OF ONOWAY
HELD ON THURSDAY, OCTOBER 28, 2021 AT THE ONOWAY CIVIC CENTRE
AND VIA ZOOM COMMENCING AT 9:30 A.M.
(in person public attendance is limited – call the office prior)**

1. CALL TO ORDER (by CAO)

2. OATH OF OFFICE (administered by CAO)

3. COUNCILS LEGISLATIVE RESPONSIBILITIES – distributed to Council: Roles and Responsibilities of Municipal Officials, Pecuniary Interest for Municipal Councillors, What Every Councillor Needs to Know; Municipal Government Act; Council Code of Conduct Bylaw Bylaw 791-21; and the Council & Committee Procedural Bylaw 763-19 (*pursuant to Section 208(1)(d) of the Municipal Government Act outlining Council's legislative responsibilities be acknowledged as received*)

4. APPROVAL OF AGENDA

- as is, or with additions or deletions

5. METHOD OF VOTING – (to be by secret ballot, in case of tie vote lowest vote count will be eliminated from the next round of voting)

6. NOMINATIONS FOR MAYOR

(CAO to administer the Oath of Office)

7. NOMINATIONS FOR DEPUTY MAYOR

(CAO to administer the Oath of Office)

8. COUNCILLOR COMMITTEE APPOINTMENTS

a) Appointment to Quasi-Judicial Boards

- **Assessment Review Board** – As per contract with Capital Region Assessment Services Corporation, appoint Board members Darlene Chartrand, Tina Groszko, Stew Hennig, Richard Knowles and Ray Ralph. Appoint Designated Officer (Clerk) Richard Barham (Bylaws 780-21; 781-21)
- **Subdivision and Development Appeal Board** – As per agreement with Milestone Municipal Services, appoint Board Members Jamie Kraley, John McIvor, Denis Meier, John Roznicki, Jason Shewchuk, Gerald Stark, Rainbow Williams and Chris Zaplotinsky. Appoint Designated Officers (Clerks) Emily House and Cathy McCartney.

b) Appointment to Statutory Committee

- **Municipal Planning Commission** (Council as a Whole)
- **Subdivision Authority** (Council as a Whole)

c) Appointment to Regional Service Commissions

- **Capital Region Assessment Services Commission** (was St. Hilaire rep, Tonita alt)
- **Highway 43 East Waste Commission** (was St. Hilaire rep, Mickle alt)
- **West Inter Lake District (WILD) Regional Water Services Commission** (was Tracy rep, St. Hilaire alt)

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d) Appointments to Regional Boards

- **East End Bus Society** (was Johnson rep, Tonita alt)

- **Yellowhead East Community Futures** (was Tracy rep, Tonita alt)

- **Lac Ste. Anne Foundation** (was St. Hilaire rep)

- **Yellowhead Regional Library Board** (was St. Hilaire rep)

- **Economic Development Committee/Partnership Committee**
(was Johnson and Tonita reps, Tracy alt)

- **Community Policing Advisory Committee (CPAC)** (was Johnson rep, Tracy alt)

- **Onoway Regional Medical Clinic/Physician Recruitment Retention Committee** (was Tracy rep, St. Hilaire alt)

- **North Saskatchewan Watershed Alliance** (was Johnson rep, Madge to the technical committee)

- **Onoway Regional Fire Services** (was Tracy rep, St. Hilaire alt, CAO or designate to attend)

- **Emergency Management/Disaster Services Committee** (was Tracy and Tonita reps)

- **Revenue and Cost Sharing Study Committee** (was Tracy rep, Tonita alt, CAO or designate to attend)

e) Appointments to Local Boards:

- **Onoway Public Library Board** (was Tonita and St. Hilaire)

- **Region 1 Recreation and FCSS Board** (was Mickle rep, Tonita alt)

- **Onoway and District Chamber of Commerce** (was Tracy rep, Johnson alt)

- **Onoway Beautification Committee** (was St. Hilaire rep, Johnson alt)

- **Onoway & District Agricultural Society (ODAS) – Arena** (was Johnson rep, St. Hilaire alt)

- **Onoway Facility Enhancement Association (OFEA) – Community Hall** (was Johnson rep, Tracy alt)

- **Onoway & District Historical Guild** (was St. Hilaire rep, Johnson alt)

- **Regional Wastewater Line Committee** – (was Tonita, Mickle alt)

- **Onoway Ball Diamonds Committee** - (was Tracy and Tonita; CAO or alternate (Madge)

f) Miscellaneous Council Appointments:

- **Inter Municipal Development Plan Negotiating Committee** (was Mickle rep, St. Hilaire alt)

- **Highway 43 Functional Planning Study – Technical Review Committee** (was St. Hilaire rep, Johnson alt)

- **Onoway Interagency Committee** – (was St. Hilaire rep, Johnson alt)

9. FINANCIAL CONFIRMATION

- a) Signing Authority – all of Council and CAO and Assistant CAO**
 - Currently 2 signatures required
 - One signature to be any member of Council
 - One signature to be one of CAO Wendy Wildman or Assistant CAO Madge
- b) Banking Authority –ATB Financial**

10. APPOINTMENT OF AUDITOR (Metrix Group)

11. APPOINTMENT OF ASSESSOR (Capital Region Assessment Services Commission, with Grant Clark of KCL Consulting Inc. as assessor)

12. APPOINTMENT OF WEED INSPECTOR (Jackie Gamblin)

13. CHIEF ADMINISTRATIVE OFFICER (Wendy Wildman)

14. DEVELOPMENT OFFICER (Tony Sonnleitner)

15. INTEGRITY COMMISSIONER (Victoria Message)

16. SOLICITOR CONFIRMATION (Patriot Law Group Onoway)

17. MUNICIPAL PLANNING COMMISSION CONFIRMATION (All of Council)

18. FOIP COORDINATOR CONFIRMATION (Chief Administrative Officer)

19. COMMUNITY PEACE OFFICER (CPO) CONFIRMATION (As per CPO agreement with Lac Ste. Anne County - Dallas Choma, Craig Dow, Denzel Nolet, Jane Roxburgh, Andrew Stewart)

20. **FIRE CHIEF** – (Chief Dave Ives as per agreement with NWFR)

21. **MEETING DATES/TIME/LOCATIONS** (1st and 3rd Thursday at 9:30 a.m., Civic Center)

22. **MUNICIPAL OFFICE LOCATION** (4812 – 51 Street, within the Town of Onoway)

23. **REQUIREMENT FOR ADVERTISING OF MEETINGS** (Onowaves & website)

24. COUNCIL EXPENSE CLAIMS

Regular Council Meetings:

- Mayor and Councillors \$175.00 per Council meeting
-

Any meeting other than a Regular Council meeting:

- Mayor - \$25.00/hr to a maximum of \$175.00/day
 - additional \$75.00/day when attending 3 or more meetings

- Councillors - \$25.00/hr to a maximum of \$175.00/day

Billable time is to be rounded up to the nearest 30 minute increment. Minimum pay will be 4 hours.

Reimbursement:

Mayor shall receive \$400.00/month as reimbursement for personal cell phone use, personal internet costs and other costs incurred in exercising duties as an elected official, as well as personal time required for the preparation for all of their meetings.

All Councillors shall receive \$250.00 per month as reimbursement for personal cell phone use and personal internet costs incurred in exercising their duties as an elected official, as well as personal time required for the preparation for all of their meetings.

Policy C-COU-REM 1 – Council Remuneration and Expense Reimbursement Policy – attached for review

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25. ADJOURNMENT

Notifications

COVID-19 Updates: State of public health emergency declared.

- Public health restrictions to reduce transmission are now in effect.
- Book your vaccine: Everyone 12+ can get first and second doses now.
- Get the facts: Vaccines are safe and save lives.



[Home](#) → [Housing and community](#) → [Municipalities and communities](#) → [Municipal government](#) → [Local government support](#)

Roles and responsibilities of municipal officials

Learn about the duties that each municipal official has to fulfil.

On this page:

- [Council roles and responsibilities](#)
- [Councillors](#)
- [Chief Elected Official \(CEO\)](#)
- [Chief Administrative Officer \(CAO\)](#)

Council roles and responsibilities

The council is the governing body of the municipal corporation and the custodian of its powers, both legislative and administrative.

The *Municipal Government Act* (MGA) provides that councils can only exercise the powers of the municipal corporation in the proper form, either by bylaw or resolution.

Councillors

Under the MGA, councillors have the duty to:

- consider the welfare and interests of the municipality as a whole and, to bring to council's attention anything that would promote the welfare or interests of the municipality
- participate generally in developing and evaluating the policies and programs of the municipality
- participate in council meetings and council committee meetings and meetings of other bodies they are appointed to by the council



- obtain information about the operation or administration of the municipality from the chief administrative officer
- keep in confidence matters discussed in private at a council meeting until discussed at a meeting held in public
- perform any other duty or function imposed on councillors by this or any other enactment or by the council.

Chief Elected Official (CEO)

The CEO can be a mayor, reeve or I.D. chairperson.

The CEO, in addition to performing a councillor's duties, must preside when attending a council meeting, unless a bylaw provides otherwise.

The CEO must also perform any other duty imposed under the MGA or any other enactment. In practice, the CEO is also generally the main spokesperson for the municipality, unless that duty is delegated to another councillor.

The CEO of a city or town is elected by a vote of a municipality's electors, unless the council passes a bylaw requiring council to appoint the CEO from among the councillors.

In a village, summer village, or municipal district, council appoints the CEO from among the councillors unless it passes a bylaw providing that the official is to be elected by a vote of the municipality's electors.

The CEO role, unless a bylaw says otherwise, includes:

- chairperson of council
- consensus seeker amongst members of council
- liaison with senior elected officials
- ex officio member on various boards and committees
- key representative with regard to ceremonial responsibilities
- liaison with other levels of government
- advice with regard to policy development

A deputy CEO will assume this role if the CEO is not available.

To learn more about elected officials visit these websites:

- [Alberta Urban Municipalities Association \(AUMA\)](#)
 - deals with issues and services for urban municipalities
- [Rural Municipalities of Alberta \(RMA\)](#)
 - deals with issues and services for rural municipalities

Interests of the municipality

A councillor is elected to look after the interests of the entire municipality.

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A councillor who is in a municipality that has wards must be careful not to place the interest of the ward or electoral district above the interest of the whole municipality.

Council's effectiveness depends on councillors providing input on their areas while thinking and voting for the whole municipality.

Councillors also have to make certain that they do not put themselves in a conflict of interest situation.

Chief Administrative Officer (CAO)

Every council must establish, by bylaw, a position of CAO. The council may give the position an appropriate title, such as Town Manager or Administrator.

The CAO is the administrative head of the municipality.

The CAO's responsibilities include:

- ensuring that the municipality's policies and programs are implemented
- advising and informing the council on the operation of the municipality
- performing other duties assigned by the council
- ensuring appropriate staffing is in place

Councillors work with the CAO to keep informed on what the municipality is doing and will depend on the administration to provide information so they can make sound decisions.

A performance appraisal system for the CAO is a key building block for a lasting and positive relationship between council and the CAO.

Designated officers

A CAO may delegate any of his or her powers, duties, or functions to a designated officer or to another employee.

Designated officer positions are established by bylaw and are subject to the CAO's supervision, unless otherwise provided by bylaw.

A designated officer may also further delegate to an employee of the municipality any of those powers, duties or functions.

To learn more about municipal administrators in Alberta, visit these websites:

- Society for Local Government Managers of Alberta
 - The professional regulatory body that grants the Certified Local Government Manager designation in Alberta.
- Alberta Rural Municipal Administrator's Association
 - Represents rural municipal administrators in Alberta.
- Local Government Administrators Association
 - Represents municipal administrators in Alberta.

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Pecuniary interest for municipal councillors

JANUARY 2021

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Pecuniary Interest for Municipal Councillors

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The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this guide. While Municipal Affairs attempts to ensure the accuracy of the information contained within this guide, a municipality and/or councillor may wish to obtain advice from a lawyer, in order to ensure the legislative requirements with regards to pecuniary interest provisions are met. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy, applicability, or reliability of this guide.

It is important to recognize that this guide has been developed as a reference for, and as an explanatory document to the *Municipal Government Act (MGA)*. This guide is not legal advice, and it cannot be used in place of consulting with a lawyer. This guide cannot anticipate every aspect, circumstance or situation that municipalities or councillors may encounter. If a municipality or councillor needs help finding a lawyer, please visit the Law Society of Alberta website.

Should this guide conflict with the *Municipal Government Act (MGA)*, RSA 2000, Chapter M-26, in word or interpretation, the legislation shall prevail.

January 2021

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Pecuniary Interest

Alberta's municipal councillors have a strong record of public service to their communities. As a public servant, you are responsible for upholding the public interest ahead of any private interests you may have.

The *Municipal Government Act* (MGA) describes pecuniary interest and sets out the procedures you must follow if a matter in which you have a pecuniary interest comes up at a council meeting or a committee of council meeting. These rules are designed to protect the public interest while ensuring that your ability to work is not adversely affected by your election to council.

In order that the public interest is served and seen to be served, it is important you be open and honest about dealing with the municipality. Be fair to yourself, your electors and your municipality by keeping your private interests in harmony with the public interest.

This document is only a guide to the legislation. It is recommended you consult your solicitor for advice on specific situations.

Definition

Section 170 of the MGA describes pecuniary interest as something which could monetarily affect you, your spouse, or adult interdependent partner, your children, your parents or the parents of your spouse (in other words, your immediate family), or a business which employs you or in which you have an interest.

Specifically, pecuniary interest means an interest in a matter which could monetarily affect:

- You;
- a corporation, other than a distributing corporation, in which you are a shareholder, director or officer;
- a distributing corporation in which you; beneficially own voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which you are a director or officer; and/or
- a partnership or firm of which you are a member.

This section also says that *"a councillor has a pecuniary interest in a matter if (a) the matter could monetarily affect the councillor or an employer of the councillor, or (b) the councillor knows or should know that the matter could monetarily affect the councillor's family."* You must decide when you have a pecuniary interest. Council cannot make the decision for you.

Exceptions

Several exceptions are listed in section 170(3) of the MGA so that an overly-restrictive interpretation of the provisions will not disrupt the affairs of the municipality or your function as a councillor.

A councillor does not have a pecuniary interest only because of any interest:

- the councillor, an employer of the councillor or a member of the councillor's family may have as an elector, taxpayer or utility customer of the municipality;
- the councillor or a member of the councillor's family may have by reason of being appointed by the council as a director of a company incorporated for the purpose of carrying on business for and on behalf of the municipality or by reason of being appointed as the representative of the council on another body;
- the councillor or member of the councillor's family may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor or member of the councillor's family may be entitled by being appointed by the council to a position described above;
- the councillor may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor may be entitled by being a councillor;
- the councillor or a member of the councillor's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the councillor or family member is an employee;
- a member of the councillor's family may have by having an employer, other than the municipality, that is monetarily affected by a decision of the municipality;
- the councillor or a member of the councillor's family may have by being a member or director of a non-profit organization as defined in section 241(f) or a service club;
- the councillor or member of the councillor's family may have:
 - by being appointed as the volunteer chief or other volunteer officer of a fire or ambulance service or emergency measures organization or other volunteer organization or service;
 - or
 - by reason of remuneration received as a volunteer member of any of those voluntary organizations or services.

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- the councillor, an employer of the councillor or a member of the councillor's family that is held in common with the majority of electors of the municipality or, if the matter affects only part of the municipality, with the majority of electors in that part;
- the interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor; or
- they discuss or vote on a bylaw that applies to businesses or business activities when the councillor, an employer of the councillor or a member of the councillor's family has an interest in a business, unless the only business affected by the bylaw is the business of the councillor, employer of the councillor or the councillor's family.

What to Do

Section 172 of the MGA sets out the procedure you must follow if a matter in which you have a pecuniary interest comes before any meeting in which you are taking part in your capacity as a member of council. Failure to follow these procedures could lead to your disqualification from council.

This section says that you may not take part in the discussion and decision-making on any matter in which you have a pecuniary interest. The legislation attempts to ensure that you are not discriminated either for or against by virtue of your membership on council.

If you have a pecuniary interest:

- you are to disclose that you have an interest and its general nature;
- you are to abstain from any discussion of the matter and from voting; and
- you are to leave the room until the matter has been dealt with, and you should make sure that your abstention is recorded in the minutes.

For example, you might say *"Mr. Mayor, I am abstaining on this matter because I am a shareholder in the company. I am leaving the room and I ask that my abstention be recorded."*

If the matter is one in which you, as an elector or property owner, have a right to be heard by council (for example, a land use bylaw amendment, lane or street closure, etc.), you are to disclose your interest and abstain, but you may remain in the room to be heard by council in the same manner as any person who is not a member of council. In this case, you should follow the procedure required of any other person to be placed on the list of delegations to be heard by council. When the matter comes up for hearing, you might say *"Madam Mayor, I am abstaining from this matter because I own the property affected. I ask that my abstention be recorded."*

You should then leave the council table and go to the area where the public sits. The mayor should call you to make your presentation in the same manner as any other person. You should state your case, answer any questions that may be asked of you and then be seated in the public area for the remainder of the public hearing.

When council debates the matter, it would be advisable to leave the room during the decision-making process.

Temporary Absence

On occasion, you may be temporarily absent from a meeting when a matter in which you have an interest comes up for discussion. If so, upon returning to the meeting, or as soon as you discover that the matter was discussed, you are to disclose the general nature of your interest. The MGA requires the secretary to note your disclosure in the minutes.

The purpose of this provision is to ensure that a member of council does not avoid disclosing an interest by simply leaving the meeting before the matter is discussed and returning after the discussion is complete. If some matter is discussed by council while you are temporarily absent from a meeting, upon your return and as soon as you become aware of the matter, you should get the attention of the chair and say something like *"Mr. Mayor, during my absence a matter was discussed in which I have an interest. I am disclosing that my husband is an employee of the company and I ask that my disclosure be recorded in the minutes."*

All Meetings

The disclosure and abstention rules apply to every meeting of council and any of its committees. They also apply to you at a meeting of any board, committee or agency to which you are appointed as a representative of council (section 172(6) of the MGA). In other words, any time you are acting as a councillor, the disclosure and abstention rules apply to you.

It is important to remember to ask the secretary at any of these meetings to record your abstention and to check that it is actually included in the minutes.

Doing Business

Although there is no prohibition on doing business with the municipality when you are a member of council, every contract or agreement with the municipality in which you have an interest must be approved by council (section 173 of the MGA). So, if your council has delegated purchasing authority to administration, it is important that those officials know of any business interests that you have and that you make sure council approves of any contract with your business. You cannot raise the matter in council, but, if you submit a bid or offer, you can note the matter must

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receive council approval. If it doesn't, you will be disqualified and the contract has no force or effect.

The following are the only exceptions:

- if the contract or agreement is for the performance of work or the provision of a service in the case of an emergency; or
- if the contract or agreement is for the sale of goods or services to the municipality or to persons contracting with the municipality at competitive prices by a dealer in those goods or services, that is incidental to, or in the ordinary course of business; or
- the agreement was entered into before your term of councillor started.

Statement of Disclosure of Interests

If you have extensive business interests, it may be difficult for you to know when these businesses are dealing with your municipality. It may be even more difficult for purchasing agents to identify a contract that requires the approval of council because a member of council has an interest.

In such cases, it may help everyone involved – yourself included – if a listing of interests is available in the office. Council may, by bylaw, require its members to file a statement with a designated officer showing the names of their immediate family members and any business in which they have an interest (section 171 of the MGA). The designated officer then compiles a list of all the names reported on the statements and provides it to the employees of the municipality indicated in the bylaw.

This provision is permissive. This means the council has the power to pass such a bylaw; however, is not required to do so.

Remember

If you vote on a matter in which you have pecuniary interest, you are subject to disqualification, even if you vote against your interest.

Ask to have your abstention recorded in the minutes of the meeting. The rules apply at all meetings of your council and its committees, and at the meetings of any board, commission, committee or agency to which you are appointed as a representative of the council.

If your council passes a bylaw requiring a statement of disclosure of interests, keep your statement up-to-date by regularly informing the designated officer of additions or deletions.

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If you are in doubt as to whether you have a pecuniary interest, obtain a written legal opinion from your own solicitor.

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Copies of the *Municipal Government Act* and the *Local Authorities Election Act* can be purchased from Alberta Queen's Printer Bookstore or accessed on the Queen's Printer website:

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Email: qp@gov.ab.ca

Website: www.qp.alberta.ca/

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What Every Councillor Needs To Know!

A Council Member Handbook



Government

Alberta Municipal Affairs

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Municipal Capacity Building, Municipal Capacity and Sustainability Branch
What Every Councillor Needs To Know!
A Council Member Handbook
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The contents of this publication are intended to provide general information. Readers should not rely on the contents herein to the exclusion of independent legal advice.

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Introduction

Congratulations! The electors of your municipality have put their trust in you to make decisions that are in their best interest. Elected office is one of the highest orders of public service. It offers the opportunity to significantly influence the quality of life in your community.

This booklet presents an overview of your responsibilities as a municipal councillor and is intended to help you to understand the powers and duties of a municipal council as a whole and you as an individual councillor. It also provides the context of the Chief Administrative Officer's (CAO) role in the municipality and helps you to understand how vital this relationship is.

The *Municipal Government Act (MGA)* provides the basic legislative framework for Alberta's municipalities. Council members must also grasp and comply with federal and provincial legislation and regulations affecting municipalities. In Alberta, cities, towns, villages, summer villages, municipal districts, specialized municipalities and improvement districts constitute municipalities. Councils have numerous powers, duties and responsibilities. You will benefit from your time on council as you meet new people and develop a greater understanding of the local government process and its role in your community. Your community will benefit from your leadership, vision, and service. Best wishes for your success, and for the success of your community.

This guide is an information summary only and has no legislative sanction. For certainty, refer to the *Municipal Government Act*, copies of which are available for purchase from Alberta Queen's Printer Bookstore. It is recommended that municipalities obtain legal advice for interpretation.

Note: Proposed amendments to the MGA that have not been proclaimed as of (publication date) are not reflected in this document. Additionally, as part of the *Municipal Government Act (MGA)* Review process, all MGA regulations related to property assessment and planning and development were reviewed to support the proposed amendments. The review has resulted in updates to a number of existing regulations and creation of new ones. To view and provide comments on these regulations, visit <http://mgareview.alberta.ca/get-involved/regulations-review/>.

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Things to know!

Oath of Office [s. 156]

Before taking part in your first council meeting or performing any councillor duty, you will be required to make and subscribe to the official oath of office. By taking the oath, you swear or promise that you will diligently, faithfully, and to the best of your ability, fulfill the duties of the office to which you have been elected.

Your role

Council is the governing body of the municipal corporation. As a councillor, you will exercise the powers of the municipality through decisions passed by bylaw or resolution at a public meeting and define the policies and direction that your municipal administration will put into action.

Every councillor must understand the municipal purposes in section 3.

The purposes of a municipality are

- a) to provide good government,
 - a.1) to foster the well-being of the environment,
- b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality,
- c) to develop and maintain safe and viable communities.
- d) to work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services.

The MGA also provides municipal government with natural person powers for the purpose of exercising their authority. Natural person powers give municipality's similar flexibility to that of individuals and corporations in managing their organizational and administrative affairs. These powers may help a municipality – without the need for more specific legislative authority – enter into agreements or acquire land and equipment. For example, if a municipality has authority to establish a public transit system, it may use natural person powers to contract services and purchase buses. It is important to be aware that natural person powers are limited by legislation.

Council's principal role in the municipal organization:

A council is responsible for [s. 201(1)]

- a) Developing and evaluating the policies and programs of the municipality;
Council's primary role is to ensure that services are provided to citizens and property owners. This involves establishing policies about what programs and services are to be delivered, the level at which they are delivered, and the budgetary requirements. Council evaluates the policies and programs through information obtained from the CAO and feedback from the citizens.
- b) Carrying out the powers, duties and functions expressly given to council under the Act or any other legislation.
Council is responsible for ensuring that the municipality acts within its enabling legislation. A municipality can be taken to court by any person if it is perceived to be acting outside its legal

authority. As well, council is responsible for ensuring that the municipality meets all requirements established in legislation, such as the requirement to hold public hearings on certain matters, develop a budget and levy taxes, appoint an auditor, etc. The legislation establishes minimum requirements; however, council can go beyond these minimums, provided that they act within their legislative authority.

Section 201(2) states clearly that a council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

As indicated above, council develops and evaluates its policies and programs; it is the CAO that implements them.

To carry out these roles, the MGA provides the following:

General duties of councillors [s. 153]

Councillors have the following duties:

- a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
 - a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
- b) to participate generally in developing and evaluating the policies and programs of the municipality;
- c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
 - e.1) to adhere to the code of conduct established by the council under section 146.1(1);
- f) to perform any other duty or function imposed on councillors by the MGA or any other enactment or by the council.

Your job as a councillor is to work with other council members to set the overall direction of the municipality in your role as a policy-maker. The policies that council sets are the guidelines for administration to follow as it handles the operations of the municipality. Much of your time on council will be spent considering new policies and programs and reviewing the current ones to make sure they are working as they should. In the spirit of collaboration, a municipality may enter into an agreement respecting services with Indigenous peoples or a Métis settlement and is required to consult with Indigenous peoples or Métis settlement when developing certain land use plans.

General duties of chief elected official (CEO) [s. 154]

- a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
 - a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;

- b) to participate generally in developing and evaluating the policies and programs of the municipality;
- c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
 - e.1) to adhere to the code of conduct established by the council under section 146.1(1);
- g) to perform any other duty or function imposed on councillors by the MGA or any other enactment or by the council.

In practice, the CEO is also generally the main spokesperson for the municipality, unless that duty is delegated to a councillor.

These legislated duties supersede any duty to any individual or group of residents.

Be familiar with your legislation

Municipalities are often described as “creatures of province”; the only powers that they have are those set out in provincial legislation and those implied or necessarily incidental to them. If you do not have a grasp of the basics, you will not understand what the municipality can, cannot, must and must not do. Although you can rely on the CAO to inform you of the legislated requirements of the MGA, it is recommended that you have a brief read through the legislation to understand why you are doing what you are doing.

The *Municipal Government Act (MGA)* is the most important Act a councillor should be familiar with. It lays the foundation for how municipalities operate, how municipal councils function, and how citizens can work with their municipalities. The MGA is the legislative framework in which all municipalities and municipal entities across the Province of Alberta operate.

The *Freedom of Information and Protection of Privacy (FOIP) Act* provides the Government of Alberta’s general policy on access to information and the protection of personal information in the public sector. It provides for public accountability through a right of access to records under the control of public bodies and mandates how a public body is to collect, use and disclose an individual’s personal information.

These are the two most important pieces of legislation that apply to municipalities. Some of the more common pieces of legislation that affects municipalities are listed at the end of this document.

How you can help

Orientation and Training Opportunities [s. 201.1]

Understanding the relationships, roles and the responsibilities of an elected official and the associated limitations, will be critical to your success in the position. Whether you are newly elected or a returning official, you should take every opportunity to learn about your municipality; key issues affecting the community; and governing processes and procedures. It is mandatory for each municipality to offer orientation training to each councillor, to be held within 90 days after the councillor takes the oath of office.

The orientation training must include:

- the role of municipalities in Alberta;
- municipal organization and functions;
- key municipal plans, policies and projects;
- roles and responsibilities of council and councillors;
 - the municipality's code of conduct;
- roles and responsibilities of the chief administrative officer and staff;
- budgeting and financial administration;
- public participation policy; and
- any other topic prescribed by the regulations.

Your associations, Alberta Urban Municipalities Association (AUMA) and the Alberta Association of Municipal Districts and Counties (AAMDC), jointly offer orientation sessions that cover some of these requirements. They also offer conferences throughout the year that will provide invaluable information and networking opportunities.

In addition, Alberta Municipal Affairs provides workshops on the roles and responsibilities of council, councillors and administration. These workshops are offered on a regional basis in the months following a municipal general election and on an 'as requested' basis through-out your term.

If you are newly elected, attending training, conferences and workshops is an excellent way to obtain the information you need to serve effectively. If you are a returning councillor, your knowledge and experience holds significant value for the new councillor.

Understand the financial implications of your decisions

Almost everything the municipality is engaged in will have a cost associated with it. You will spend a lot of time assessing the financial implications of council policy decisions. You will need to balance the desire for municipal services with the amount of property taxes and user fees that the local residents are willing to pay for those services.

Let employees do their jobs

The CAO is your only employee in most instances. You may have a bylaw which states that designated officers report directly to council. All other municipal employees report to the CAO. Staying out of the day-to-day operation of the municipality allows councillors to concentrate on policy-making and program monitoring. Councillors should work with the CAO to keep informed on what the municipality is doing and will depend on the administrator to provide information so that they can make sound decisions. Effective councils set policy; they do not micro-manage or perform any administrative duties. Refer to section 201(2).

Understand and avoid pecuniary interest and conflict of interest

As a public servant, you are responsible for upholding the public interest ahead of any private interests you may have. These rules are designed to protect the public interest while ensuring that your ability to work is not adversely affected by your election to council. In order that the public interest is served and seen to be served, it is important that you be open and honest about dealing

with the municipality. Be fair to yourself, your electors, and your municipality by keeping your private interests in harmony with the public interest.

Pecuniary interest is a matter which could monetarily affect the councillor or an employer of the councillor, or the councillor's family. Conflict of interest is a situation in which the concerns or aims of two different parties are incompatible or a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

The MGA provides the definition and application of pecuniary interest and the municipality's Code of Conduct for Elected Officials bylaw should define what constitutes a conflict of interest. Know how and when to report either, what to do in each case, and the consequences of not following the provincial legislation or local bylaw. Attempting to influence in any way, any decision in which you have a pecuniary interest is reason for disqualification from council. The municipal code of conduct will also have repercussions for conflict of interest that is not declared. If either is ignored, council decisions may be challenged.

For further information on pecuniary interest, please visit www.municipalaffairs.alberta.ca/documents/Pecuniary_interest_%202017.pdf.

Information is public

All information received, sent, stored or collected by a municipality is public information unless it falls within the limited exceptions under the FOIP Act. Yes, this applies to email and electronic records too. Ask your duly appointed FOIP officer (often the CAO), what the rules are.

The municipality's lawyer is not your lawyer

The municipality's lawyer takes instructions from council as a whole through the CAO. Also, any legal advice received is privileged and is not to be shared outside of council. In a question of pecuniary interest, or if you are facing charges, you will be directed to seek your own counsel.

Municipalities and council members are subject to the laws in force in Alberta. For example, municipalities are subject to workplace safety laws, emergency management laws, environmental law, and employment laws, among many others. Council management decisions have legal consequences, and councils should be aware of legal risks in decision making. Councillors should be open to advice from the CAO and open to obtaining expert legal advice. You are responsible for your own words. Councillors should not make defamatory statements, whether inside or outside of council meetings. You need to be diligent to avoid putting the municipality or yourself at risk of committing an offence or being found liable for civil damages.

Team Approach

Working as a team with the rest of council and administration will contribute to making your time on council a success. It isn't always going to be easy. Your influence as a council member rests on your ability to persuade other members of council to consider your point of view. When an issue is being studied, be sure to express your views as part of the debate.

Disagreements among council members on specific issues are common. The respectful exchange of ideas and opinions leads to good decisions. While working through these debates, keep in mind that

you all share the same desire for your municipality to be strong, safe, and viable. You may have different views about how to get there, but you do share broader common goals.

Most votes on a council resolution do not require a consensus of all councillors. As a result, there will be many occasions where a decision is made that you did not support with your vote. However, once the resolution has been passed, it becomes the official direction of the municipality. The health and ongoing success of a municipality is largely dependent upon the ability of councillors to respect and support the decisions of council in principle, despite your personal views during the debate.

Some municipalities have a communications policy in place that directs media through prescribed channels. Becoming familiar with communications procedures will allow you, council, and administration to work as a team and deliver a cohesive message.

These are things that a councillor must know to do their job with integrity. The remainder of this booklet provides information on other aspects of the legislation that a councillor should be aware of to ensure your municipality is accountable to the taxpayer. As a councillor, you are elected to look after the interests of the entire municipality. Council's effectiveness depends on you providing input as a representative of the people who elected you.

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Governance

Chief Elected Official (CEO) [s. 150, 154 and 155]

The title CEO may be changed to one that council believes is appropriate to the office, such as mayor or reeve.

The CEO of a city or town is elected by a vote of a municipality's electors, unless council passes a bylaw requiring council to appoint the CEO from among the councillors. In a village, summer village, or municipal district, council appoints the CEO from among the councillors unless it passes a bylaw providing that the official is to be elected by a vote of the municipality's electors.

Code of Conduct for Elected Officials [s. 146.1 and 153, Alberta Regulation]

A council must have a code of conduct bylaw which applies to each councillor equally. The bylaw must establish how council members will behave with each other, employees, and the public. It must also provide for a complaint and resolution process, and for sanctions as outlined in the regulation. This bylaw will help to ensure that all Albertans have effective and accountable representation, and set province-wide expectations for all elected officials. This bylaw must be reviewed every 4 years as councils are elected.

Councillor Liability [s. 249, 275 and 535]

The question of liability may arise as a result of councillors' actions. However, section 535 of the MGA was written to protect councillors from personal liability while acting in good faith for the municipality. This section does not apply in circumstances of defamation and does not protect the municipal corporation from any such liability.

There are several provisions in the MGA that could potentially create a liability on individual councillors. Section 249 deals with unauthorized expenditures and section 275 which deals with borrowings, loans, or guarantees that cause the municipality to exceed its debt limit.

While it is important to be aware of the potential for personal liabilities there is little precedent for the use of these provisions.

Council Meetings [Alberta Regulation]

A regulation defines a council meeting as, when used in reference to a council, a meeting under section 192, 193 or 194 of the Act, or a meeting under section 195 of the Act if a council committee meeting. These are an organizational meeting, a regular meeting, a special meeting or a committee of council meeting.

Organizational Meeting [s. 159 and 192]

The first meeting of council you attend will be the organizational meeting, held within two weeks of the election, or sooner if an election was not required. This marks the official commencement of the term of office and the completion of the previous council's term. This meeting allows council to address preliminary matters such as appointing a CEO if necessary, appointing a deputy CEO, and appointing people to the various committees and other bodies associated with council. If other regular business is to be conducted, the organizational meeting must be adjourned and the regular meeting convened and recorded as a separate meeting.

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Regular and Special Meetings [s. 153, 181, 193, 194, 196, 197, 198, and 199]

It is up to council to decide how many meetings are needed to govern the affairs of the municipality. The decision to hold regular meetings must be made at a meeting with all councillors present, normally the organizational meeting. The time and place of a regular meeting can be changed. All councillors do not have to be at the meeting to change the time or place; but all councillors and public must be given 24 hours-notice of the change.

The timing of regular council meetings does not always align with urgent business that requires council attention. There will be times when a special meeting is required. Section 194 of the *MGA* states that a special meeting may be called if the CEO believes one is needed and must be called if a majority of councillors request one in writing.

Council and council committees can hold meetings by means of electronic or other communication facilities, (Section 199) rather than in person. Notice must be given to the public of such a meeting, including the way it will be conducted. The facilities must enable all the meeting's participants to watch or hear each other, and the public to watch or listen.

Meetings Closed To The Public (In-Camera Meetings)[s. 1(3), 197, Alberta Regulation]

There are times when council or a council committee must discuss something in private. A meeting or part of a meeting is considered to be closed to the public if:

- a) any members of the public are not permitted to attend the entire meeting or part of the meeting,
- b) the council, committee or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct, or
- c) the council, committee or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.

The *MGA* and the *FOIP Act* set out some very limited exceptions in which meetings may be closed to the public. Personnel matters, where it would be unfair to the people involved to have the issue discussed in public, are a common example. In order to recognize specific circumstances that necessitate confidentiality of council discussions, section 197(2) of the *MGA* allows meetings that are closed to the public where the subject matter falls within one of the exceptions to disclosure in Division 2 Part 1 of the *FOIP Act*. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests; reveal confidential evaluations, local public confidences, or advice from officials; or disclose information that is subject to legal privilege.

Even then, before closing all or any part of a meeting to the public, a council or council committee must pass a resolution approving the part of the meeting that is to be closed, and indicate the exception to disclosure in Division 2 of Part 1 of the *FOIP Act*. All resolutions have to be made in a public session.

All public have the right to attend a council meeting except for someone who has been expelled due to improper conduct in that meeting. The provisions of the *MGA* regarding public presence at meetings are intended to promote public involvement and the accountability of the local government process.

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Council Committees [s. 145 and 203]

If council creates council committees, it must be done by bylaw. The bylaw would establish the reason for the committee, the meeting procedures, and appoint committee members among other things. Council may decide to create a temporary committee to look at a specific issue. There may also be standing committees which run from year to year to deal with ongoing issues.

Council may delegate some of its power making to its committees. Any powers delegated would be outlined in the bylaw that created the committee. Some council decisions, such as passing bylaws or adopting the budget, cannot be delegated.

When council is part of an emergency services committee, it may have specific responsibilities in the case of a local emergency. Council should be aware of what those responsibilities are and how they are to be carried out. The emergency response framework is described in the *Emergency Management Act* and its regulations.

Procedural Bylaw [s. 145(b)]

A municipality may have a procedural bylaw to provide a standard format for council meetings and make it easier for members of council, staff, media, and public to understand the decision-making process. A procedural bylaw should set the date and time of regular council meetings, provide for the order of business, set rules regarding the proceedings at regular meetings of council, and describe how items may be put on the council agenda and method of distributing the agenda for council meetings, among other things. This bylaw should be reviewed every four years as councils are elected.

Policy-Making and Program Monitoring

Council is responsible for considering the types and levels of services that are necessary or desirable for the municipality. This responsibility involves providing input into the municipality's programs and services (policy-making) and making sure that administration provides the programs and services in the best possible way (program monitoring).

Council policy provides the basis for consistent decisions. Administration is responsible for providing the programs and services to the residents according to council policy.

Program monitoring is staying up to date through information obtained from the CAO and assessing the results against what council planned to achieve.

Public Participation Policy [s. 216, Alberta Regulation]

It is always important for a council to work with citizens to request input and address concerns. Each council is required to establish a public participation policy that will tell the electors how they can take part in important decisions of council that are not otherwise regulated. The policy should identify the types or categories of approaches the municipality will use to engage their stakeholders as well as the circumstances in which the opportunity will be exercised. Examples to be considered in the policy could include holding a 'town hall' to discuss the budget process or to explain the auditor's report. This policy is intended to promote consistent expectations and increases public confidence in the local government decision making process.

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Voting [s. 183, 184, 185, and 172]

Council makes decisions. Under the MGA, a councillor is required to vote on all resolutions and bylaws unless required or permitted to abstain from voting under other legislated provisions or the Code of Conduct Bylaw. Council must ensure that each abstention and the reason for it are recorded in the minutes of the meeting.

If there is a public hearing on a proposed bylaw or resolution, a councillor must abstain from voting on the bylaw or resolution if they were absent from all of a public hearing, and may abstain if absent for a part of a public hearing. Section 172 of the MGA states that councillors must also abstain from voting on matters in which they have a pecuniary interest.

At any time before a vote is taken, a councillor may request that the vote be recorded. The minutes must show the names of the councillors present and how they voted.

Each councillor has one vote. A resolution is passed by receiving the majority of votes from the councillors in attendance at the meeting. When there is a tie vote on a resolution, it is defeated.

A quorum must be present at a council meeting for any resolution or bylaw to be valid. A quorum is a majority of councillors making up the municipal council. For example, if council consists of seven councillors (including the CEO); four councillors would constitute a quorum.

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Administration

Chief Administrative Officer (CAO) [s. 153.1, 205, 205.1, 207, 208, and 209]

Every council must establish, by bylaw, a position of CAO. The CAO is an integral advisor to council in supporting the development and implementation of strategic objectives and policies. The CAO builds strong working relationships with stakeholders and provides mentorship and strategic guidance to their staff by fostering a culture of municipal excellence throughout the organization.

A primary duty of the CAO is to provide the same information to all councillors. When a councillor asks the CAO a question, it is their duty to provide that same information to all other councillors.

The CAO works collaboratively with council in building the community and effectively representing the interest of the municipality. As the administrative leader, the CAO will mentor, coach, and guide the performance of municipal staff to meet the needs of the community through public service excellence and a high degree of personal initiative.

A performance appraisal system for the CAO is a key building block for a lasting and positive relationship between council and the CAO. Even though the current relationship may be good, a formal appraisal process provides the opportunity to discuss opportunities for improvement. The MGA therefore requires that council provide the CAO with an annual written performance evaluation.

Designated Officers (s. 209 and 210)

A CAO may delegate any of his or her powers, duties, or functions to a designated officer or an employee. Designated officer positions are established by bylaw and are under the CAO's supervision, unless otherwise provided by bylaw. A designated officer may also delegate any of those powers, duties, or functions to an employee of the municipality. When a designated officer position has not been assigned, that duty falls back on the CAO.

Policies

The importance of policies is paramount in providing consistency and transparency to the CAO and the tax payer. Most successful municipalities maintain a policy manual with an index to enable easy reference. Policies should be approved by council, and should be periodically reviewed and updated to ensure they are still relevant.

Staff Development

Human resources are as important as financial resources. A variety of educational opportunities are available for both new and experienced municipal administrators. The most successful municipalities encourage staff development and training to ensure that their employees are able to effectively carry out their duties and stay familiar with new developments in the field of municipal administration.



Finance

The majority of activities that take place in any municipality have a cost associated with them. As a member of council, you will spend a substantial amount of time assessing the financial implications of council decisions on the local taxpayers.

Operating and Capital Budgets [s. 242, 243, 244, 245, 246, 247, 283.1]

The budget is the center of the municipal finance system. The priorities of council will necessarily be reflected in the funding priorities established in the budget. Through the budget, council sets the municipality's priorities for the next year (or number of years) by allocating funding for each program, service, or project. Careful and realistic budget planning and control can translate into better and more cost-effective services for the community.

Best practices indicate that sustainable municipalities have a strategic plan that maps out longer term goals and identifies the municipality's priorities over a number of years. A strategic plan can provide year to year guidance and direction to the annual budget process, and provides the longer-term context for annual goals.

The MGA requires that every municipality adopt an annual operating and a capital budget or a single annual budget that incorporates both operating and capital items. Property and business tax bylaws cannot be passed until a budget has been adopted. Municipal budgets must include sufficient revenues to cover planned expenditures. Reserve funds may be used to balance the budget. Municipalities are not permitted to allow the accumulated surplus, net of equity in tangible capital assets, to be less than zero.

The operating budget is a detailed estimate of how much your municipality needs to spend to meet its ongoing financial obligations and provide programs and services to the residents. The capital budget identifies the sources and uses of funding for fixed assets such as buildings, roads, vehicles, water and sewer facilities, and land.

Beginning in 2020, municipalities are required to have written three-year financial and five year capital plans in addition to the annual budget. Financial plans must identify expected revenues and expenditures as well as project the annual and accumulated surplus or deficit. The capital plan must meet the minimum of five years but a longer term plan is encouraged. The plan must identify planned capital property additions as well as allocated or anticipated sources of funding. Both the capital plan and operational plan must be reviewed and updated annually.

The budget is one of, if not the most, important council policy decision Council should receive regular reports from administration that compare actual financial results to the budget.

Procedure for Expenditure Authorization [s. 248 and 249]

Each council must establish procedures to authorize and verify expenditures that are not included in a budget. Such policies typically set thresholds for at what level the CAO or his/her designate can make an expenditure not included in the budget and when those expenditures must be brought to council for approval.

It is also important to note that if you, as a councillor, make an unauthorized expenditure, or vote to spend granted or borrowed funds for a purpose other than that for which they were granted or

Property Assessment, Taxation, and Other Revenues

Assessment [s. 285, 298, 454, 454.1, 454.2, 454.3, 460, 460.1, 468, and 470]

Property assessment is the process of assigning a dollar value to a property for taxation purposes. In Alberta property is taxed based on the *ad valorem* principle. *Ad valorem* means “according to value.” This means that the amount of tax paid is based on the value of the property.

Assessments for all types of property are prepared by professional, certified assessors. Provincial assessors designated by the Minister of Municipal Affairs assess designated industrial property, while municipal assessors employed or contracted by municipalities assess all other types of property. Under provincial legislation, a council must appoint, by bylaw, a designated municipal assessor. A designated assessor is responsible for the completion of a number of tasks laid out by provincial legislation and regulations.

After the assessed value of a property has been determined, the property is assigned an assessment class. The assessment class determines the tax rate that will be applied to each property, as assessment classes may have different tax rates.

The municipal assessor is responsible for assigning assessment classes to property. Property is classified according to its actual use. The classes set out in the MGA are Class 1 – residential; Class 2 – non-residential; Class 3 – farmland; and Class 4 – machinery and equipment.

To ensure that property owners have a voice in the property assessment system, the MGA has set out a complaints and appeals system for property owners who have concerns about their assessment.

Property Taxation [s. 242, 297, 318, 354, 355, 356, and 359.1]

Each year, municipal councils determine the amount of money they need to operate their municipality through the budget process. From this amount, the council then subtracts known revenues (for example, licences, grants, and permits). The remainder is the amount of money the municipality needs to raise through property taxes in order to provide services for the year.

Very simply, the revenue requirement divided by the total assessment equals the tax rate.

The tax rate is applied to each individual property assessment using the following formula:

Property assessment x Tax rate = Taxes payable.

Council is required to pass a property tax bylaw annually (Section 353). Council may set different municipal tax rates for each of the four assessment classes each year; however the difference between non-residential and residential tax rates can be no more than 5:1. Council may also set different tax rates for vacant and improved non-residential property and for different sub-classes of residential property. Council can only affect the tax rate by changing the revenue requirement (budget).

In addition to municipal tax rates, municipalities must set tax rates to raise funds that are requisitioned for cost sharing programs such as the Alberta School Foundation Fund and seniors lodges, etc.

Once the tax notices are mailed, the property tax rate bylaw cannot be amended unless approved by Ministerial Order.

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For more information on Property Assessment and Taxation please visit:
www.municipalaffairs.gov.ab.ca/mc_property_assessment_and_taxation.

Education Tax and Equalized Assessment

Property assessment is used as the basis on which to requisition property taxes from all or a number of municipalities for the financial support of several regional and provincial programs. Equalized assessment is a process that levels the playing field for municipalities so that property tax requisitions and grants can be fairly allocated.

Just as property owners pay taxes in proportion to the value of the property they own, municipalities are required to contribute to the provincial education and other requisitions based on the proportion of assessment within their jurisdictions. Equalized assessments are used to determine the specific contributions to be made by each municipality, and they are also used in formulas for provincial grants to municipalities.

Inter-municipal fairness and equity is important when requisitioning property taxes from municipalities or calculating grants. In this regard, it is usually necessary to make some adjustments in the assessment base figures that each municipality reports to the province before those assessments are used to determine each municipality's contribution to a regional or provincial program, or its equitable share of grant dollars. These adjustments are made through the equalized assessment process.

The MGA requires that most properties be assessed at market value. Ideally, all properties would be assessed at 100 per cent of market value. In practice, however, assessments may vary from market value to a limited degree. Because this variance may occur, equalization is used to adjust each municipality's assessments to 100 per cent of market value. The equalization process removes the variations in assessment levels to make the assessment bases more comparable among municipalities. The process produces a set of adjusted, or "equalized," assessments that can then be used to distribute *requisitions, or allocate grants, among municipalities in a fair and equitable manner."

Legislative Provisions

Process	Legislation
Equalized Assessment	<i>Municipal Government Act</i> , s. 317-s. 322, s.325 Alberta Regulation 220/2004, s. 10, s.13-s.19 <i>School Act</i> , s. 161(1)-(4)
*Requisitions	<i>Municipal Government Act</i> , s. 326(a)
Education Property Tax Requisitions <ul style="list-style-type: none"> • Alberta School Foundation • School Board Requisitions 	<i>School Act</i> , s. 164(1)-(8), s. 174(1)-(13) <i>Municipal Government Act</i> , s. 359.1(1)-(8) <i>Municipal Government Act</i> , s. 359.2(1)-(8)
Seniors Lodge Requisition (Management Body)	<i>Alberta Housing Act</i> , s. 7

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Planning and Development

Council shapes the physical future of the community through its authority over land-use planning and development control. It is the responsibility of council to focus on the future of the community as a whole while balancing the current rights, needs and concerns of property owners and residents. The purpose of planning is to achieve the orderly, economical and beneficial development, use of land and settlement without infringing on the rights of individuals, except as necessary for the community. A number of tools are available to council for this purpose.

The *MGA* identifies the hierarchy and relationship of statutory plans. The order is:

Intermunicipal Development Plans (IDPs) – all other plans must be consistent with the IDP.

Municipal Development Plans (MDPs) must be consistent with the IDP.

Area Structure Plans (ASPs) and Area Redevelopment Plans (ARDs) must be consistent with any MDP and IDPs. The IDP prevails to the extent of the conflict or inconsistency between the plans.

ALSA Regional Plan (ALSA s. 20, 21, and 22; MGA s. 630.2 and 638.1)

Alberta Land Stewardship Act (ALSA) regional plans inform land-use decisions. They build on existing policies and initiatives by establishing a set of strategic directions to achieve the regional vision and outcomes, include regional objectives, strategies and actions undertaken to support achievement of the regional vision and outcomes and indicators to measure and evaluate progress and enable achieving the strategic direction and strategies and actions. Under ALSA, land-use decision-makers and the provincial government will coordinate their planning and decision-making.

The current MGA land-use policies will be phased out as new regional plans under the ALSA come into force. The MGA will provide authority, through regulation, to create land-use policies for municipal planning matters that are not included in a regional plan.

Where there is an approved ALSA regional plan, the subdivision authority, development authority, municipal planning commission, and subdivision and development appeal board of the municipalities within that region must act in accordance with the applicable ALSA regional plan's policies and outcomes.

Intermunicipal Development Plan [s. 631]

Two or more municipalities must adopt an inter-municipal plan (IDP) (within two years of MGA amendments being proclaimed) to address issues of mutual concern with respect to designated lands. The plan must provide for the future use of land, the manner of and proposals for future development, the provision of transportation systems and environmental matters, the co-ordination of intermunicipal programs, or other matters relating to the area. The plan must include a procedure to resolve, or attempt to resolve, conflicts; a procedure to amend or repeal the plan; and provisions relating to plan administration. The Minister may require two (2) or more municipalities to enter into an inter-municipal development plan. A Growth Management Board (GMB) is required to create a framework only for those matters that are not addressed in the growth plan. GMB members must create a framework with non-GMB municipalities where there is a common boundary.

Municipal Development Plan [s. 632 and 636]

Every council with a population greater than 3500 must adopt a municipal development plan (MDP). The MDP provides a general framework for development within the municipality and is the official statement of your municipality's policies concerning the desired future pattern of development. The municipality must afford opportunity to affected persons as well as neighbouring municipalities to review and make comment on the plan. Inter-municipal issues such as coordination of land use and infrastructure must be addressed in the municipality's own municipal development plan when there is not an IDP respecting these matters.

Area Structure and Redevelopment Plans [s. 633, 634, 635, and 636]

Council may, by bylaw, adopt an area structure plan (ASP) to provide a framework for subdivision and development for a particular area. The area structure plan will generally describe the sequences of development, proposed land use, population density, and the location of major transportation routes and public utilities.

When an area is undergoing redevelopment, council may adopt an area redevelopment plan, (ARP) which, in addition to providing guidelines, may result in a redevelopment levy being used to acquire land for park, school, or recreation purposes in the redevelopment area.

Listing and Publishing of Policies [s.638.2]

Every municipality must be more transparent with their planning documentation. They must list, publish and keep updated the list of all planning policy documents, and describe how they relate to each other and to the municipality's statutory plans. The information must be published on their municipal website. A development authority, subdivision authority, subdivision and development appeal board, the Municipal Government Board (MGB) or a court shall not have regard to any policy unless it is listed and published. All documents must be listed and published effective January 1, 2019.

Land Use Bylaws and Development Decisions [s. 639, 640, 640.1, 641, 642, 683.1, 685, and 686]

All municipalities must have a land use bylaw (LUB). This bylaw provides a specific means of implementing the policies that are expressed in a general way in the municipal development plan. The bylaw provides for a system of development permits and divides the municipality into land use districts or 'zones', including direct control, prescribing permitted and discretionary uses for land, and development standards for each land use district. Council must establish a development authority to administer the development approval process. Development decisions may be appealed to the Subdivision and Development Appeal Board (SDAB).

Subdivision [s. 623, 652, 653.1, 654, 655, and 678]

Dividing a piece of land into two or more parcels generally requires approval from a subdivision authority. The authority ensures that the land to be subdivided is appropriate for its proposed use. Council must establish the subdivision authority by bylaw and delegate powers in accordance with the MGA. Subdivision decisions can be appealed to the SDAB, or in certain situations to the Municipal Government Board. While a subdivision is approved by the subdivision authority, any changes to zoning that accompany the subdivision must be brought to council for approval by bylaw.

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Subdivision or Development Agreements [s. 650 and 655]

Prior to a subdivision or development having full approval, your municipality may require a developer to enter into a subdivision or development agreement as a condition of approval. These agreements may address construction or payment of a road, walkway, public utility, parking/loading and unloading facilities, off-site levies and security to ensure that the terms of the agreement are carried out. In addition, requirements of inclusionary housing may be addressed in the agreement. After legal consultation, administration will bring the agreement forward to council for acceptance, after which the application can be given final approval.

Subdivision and Development Appeal Board [s. 627, 678, and 686]

A municipal council is required to establish a subdivision and development appeal board (SDAB) to act as a quasi-judicial body to deal with subdivision, development and stop order appeals. Members of council cannot form the majority on the SDAB or intermunicipal board.

A council that establishes a SDAB must appoint a clerk as a designated officer. Members and clerks must have completed the mandatory training. Appeal matters are addressed by the MGB. This sets out the jurisdictional matters that the board must act within. The SDAB must hold a public hearing to deal with an appeal.

For more information on the services of the Planning and Development, please refer to www.municipalaffairs.alberta.ca/am_planning_and_development.

Intermunicipal Collaboration Framework (Part 17.2)

The purpose of this part is to require municipalities to develop an intermunicipal collaboration framework among two or more municipalities to provide for the integrated and strategic planning, delivery and funding of intermunicipal services, to steward scarce resources efficiently in providing local services, and to ensure municipalities contribute funding to services that benefit their residents.

This framework is mandatory and must be in place within three years of proclamation and reviewed every five years to ensure continued application of the documents.

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Municipal Collaboration and Mediation (s. 690)

Alberta Municipal Affairs Intermunicipal Relations team provides assistance in building collaboration and relationships between and within municipalities across Alberta. The team helps municipalities assess what resources and support you may need to collaborate on, or resolve, any internal or intermunicipal issue. In the next three years, this team will have a specific focus to help municipalities create their Intermunicipal Collaboration Frameworks (ICFs) by assisting with access to resources and supports such as facilitation, mediation, and tools.

The Intermunicipal Relations team:

- works with municipalities to assess the most appropriate tools, services and supports they need to proactively collaborate on, or resolve, any internal or intermunicipal issue;
- works with municipalities to ensure that all the necessary preparations are in place to convene a collaborative or dispute resolution process;
- provides a roster of qualified private sector mediators available to work with municipalities;
- works with municipalities to design collaboration, relationship building and dispute resolution training programs, including preparation for collaboration, mediation, internal communication and public participation;
- facilitates applications for grant funding towards the cost of retaining private sector facilitators, mediators or consultants.

It is important to note that the *MGA* requires municipalities to attempt negotiations and mediation before bringing an inter-municipal land use dispute or a contested annexation to the Municipal Government Board. The Intermunicipal Relations team provides support for municipalities wanting or needing to go to mediation for an annexation of intermunicipal land use dispute.

Municipalities can use facilitated negotiations for any inter-municipal service, issue or dispute at any stage in their negotiations.

For more information on these services of the Intermunicipal Relations team, please refer to www.municipalaffairs.alberta.ca/MDRS.cfm.

Economic Development

The Economic Developers Association of Alberta (EDA Alberta) is an incorporated, non-profit organization formed to enhance the economic development profession in the province, providing an active network of communication, information and education. EDA coordinates programs and workshops for municipal councils and economic development committee members to help communities with their economic plans by creating an awareness of what they can do on the local front to enhance their economic development activities. The website is www.edaalberta.ca.

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Provincial Legislation

This list is not all-inclusive; however, these additional Acts may impact a municipality.

Alberta Land Stewardship Act (ALSA) sets out the legal basis for regional land use planning in Alberta. It requires decision-making and local government bodies to review their regulatory instruments then make any necessary changes to ensure these instruments comply with the regional plan.

Cemeteries Act controls the disposition of human remains, ensures cemeteries meet requirements of local authorities, and protects consumers who invest in pre-need cemetery supplies and services. Awareness may be necessary as some municipalities own and operate cemeteries.

Emergency Management Act (EMA) governs measures taken during an emergency and requires municipalities to establish an emergency plan. It outlines the roles and responsibilities of the Minister of Municipal Affairs, the provincial government, and local authorities. The *EMA* provides the authority for the granting of additional powers during a state of emergency or a state of local emergency and governs the coming into force, expiration, and termination of these states of emergency.

Employment Standards Code establishes Alberta's minimum standards of employment in many areas including payment of wages, hours of work, overtime, vacation and holidays, leaves and termination of employment. It establishes the processes by which an employee can seek recourse if the standards have not been met.

Forest and Prairie Protection Act enables the protection of the forests and prairies of Alberta from wildfire. This legislation makes the chief elected official, each councillor and the chief administrative officer, by virtue of their offices, fire guardians in and for the municipal district except that part of the municipal district that is within a forest protection area.

Highways Development and Protection Act delineates the responsibilities and powers of the authorities that oversee the various categories of highways and roads in Alberta. It also prohibits and limits certain developments near highways and roads.

Interpretation Act sets out rules for interpreting legislation (various presumptions, definitions, rules of statutory interpretation and construction) that apply to all Alberta Acts and regulations, and who can act under legislation.

Land Titles Act details the legal mechanism for registration of land related documents and establishes priority between them. The government guarantees the title and a fund is established to compensate people who have been deprived of an interest in land, for situations such as an error made by the Registrar, fraud or forgery.

Local Authorities Elections Act (LAEA) governs municipal elections by establishing procedures around campaigning, voting and counting of votes.

Oaths of Office Act applies to oaths of allegiance, official oaths and judicial oaths. All elected officials must take an oath of office before they can fulfill their duties. It provides that any

person required by statute to make an oath is permitted to make a solemn affirmation instead of taking an oath.

Occupational Health and Safety Act (OHS) sets out the framework for health and safety in Alberta's workplaces, including municipalities.

Peace Officers Act establishes the roles of peace officers (non-police) in Alberta and allows different levels of government the opportunity to obtain peace officer status for community safety enhancement and specialized law enforcement needs. This act establishes the requirement for authorization of employers and appointment of peace officers including the application process, suspension/cancelations, employer liability and responsibility, the role of the Director of Law Enforcement, oversight process and the mechanism for public complaints. It also provides the offences and penalties.

Safety Codes Act establishes a unifying framework for the administration of ten safety disciplines which each have their own safety codes and standards. The Public Safety Division of Alberta Municipal Affairs administers the framework, including development of codes and standards adopted in Alberta, providing advice and technical support to the public, industry, all municipalities and the Safety Codes Council, monitoring the work of municipalities, corporations and agencies that administer the Act or provide services under the Act, and managing agencies under contract to provide services such as permits and inspections for municipalities that do not administer the Act in their jurisdiction.

Traffic Safety Act promotes safety on the province's highways, the definition of which includes any street, road, sidewalk or bridge that the public is ordinarily entitled or permitted to use.

Weed Control Act defines the actions municipalities in Alberta must take with respect to weed control, issuances of notices and the conditions necessary for appeal.

Alberta Queen's Printer is the official publisher of Alberta's laws and the Alberta Gazette, and partners with Government of Alberta ministries to produce and distribute various government publications. The most current legislation is available for purchase, viewing or printing at www.qp.alberta.ca.

Domestic Trade Agreements

Alberta municipalities are party to two trade agreements: the New West Partnership Trade Agreement (NWPTA) and the Agreement on Internal Trade (AIT). Through these agreements, the province has sought to reduce trade barriers, enhance labour mobility and open investment opportunities for Albertans and Alberta businesses. The Canadian Free Trade Agreement (CFTA) came into effect on July 1, 2017 replacing the Agreement on Internal Trade (AIT) that had been in force since 1995.

More information on how the procurement practices of Alberta municipalities are impacted by these trade agreements is available at economic.alberta.ca/trade-agreements.asp.

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TOWN OF ONOWAY
By-Law 791-21

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

WHEREAS, pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by bylaw, establish a code of conduct governing the conduct of councillors;

AND WHEREAS, pursuant to section 146.1(3) of the *Municipal Government Act*, a council may, by bylaw, establish a code of conduct governing the conduct of members of council committees and other bodies established by the council who are not councillors;

AND WHEREAS, pursuant to section 153 of the *Municipal Government Act*, councillors have a duty to adhere to the code of conduct established by the council;

AND WHEREAS the public is entitled to expect the highest standards of conduct from the members that it elects to council for the Town of Onoway;

AND WHEREAS the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government;

AND WHEREAS a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councillors;

NOW THEREFORE the Council of the Town of Onoway, in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title

1.1. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".

2. Definitions

2.1. In this Bylaw, words have the meanings set out in the Act, except that:

- (a) "Act" means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- (c) "CAO" means the chief administrative officer of the Municipality, or their delegate;
- (d) "FOIP" means the *Freedom of Information and Protection of Privacy Act*,

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R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;

- (e) "Investigator" means Council or the individual or body established by Council to investigate and report on complaints;
- (f) "Member" means a member of Council and includes any member of Council and includes members of council committees or other bodies established by Council who are not councillors or the Mayor;
- (ff) "Municipality" means the municipal corporation of the Town of Onoway.

3. Purpose and Application

3.1. The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards.

4. Representing the Municipality

4.1. Members shall:

- (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
- (c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and
- (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.

5. Communicating on Behalf of the Municipality

5.1. A Member must not claim to speak on behalf of Council unless authorized to do so.

5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

5.3. A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.

5.4. No Member shall make a statement when they know that statement is false.

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5.5. No Member shall make a statement with the intent to mislead Council or members of the public.

6. *Respecting the Decision-Making Process*

6.1. Decision making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.

6.2. Members shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

6.3. Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

7. *Adherence to Policies, Procedures and Bylaws*

7.1. Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.

7.2. Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.

7.3. A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

8. *Respectful Interactions with Council Members, Staff, the Public and Others*

8.1. Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.

8.2. Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.

8.3. No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public.

8.4. No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status,

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source of income, family status or sexual orientation.

8.5. Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.

8.6. Members must not:

(a) involve themselves in matters of Administration, which fall within the jurisdiction of the "CAO" as defined above;

(b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or

(c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

9. Confidential Information

9.1. Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.

9.2. No Member shall use confidential information for personal benefit or for the benefit of any other individual organization.

9.3. In the course of their duties, Members may also become privy to confidential information received outside of a "closed session" meeting. Members must not:

(a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;

(b) access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;

(c) use confidential information for personal benefit or for the benefit of any other individual or organization.

10. Conflicts of Interest

10.1. Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.

10.2. Members are to be free from undue influence and not act or appear to act in

order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.

- 10.3. Members shall approach decision-making with an open mind that is capable of persuasion.
- 10.4. It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

11. Improper Use of Influence

- 11.1. No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.
- 11.2. No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
- 11.3. Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4. Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

12. Use of Municipal Assets and Services

- 12.1. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member.
- 12.2. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
 - (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges;
 - (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not for personal gain, offensive or inappropriate.

13. Orientation and Other Training Attendance

- 13.1. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.

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- 13.2. Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.
- 13.3. Members are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.
- 13.4. Members shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

Gifts and Hospitality

- 13.5. Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 13.6. Members may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the hospitality, gift or benefit does not exceed one hundred dollars (\$100.00).

Election Campaigns

- 13.7. No Member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

Informal Complaint Process

- 13.8. Any person or Any Member who has identified or witnessed conduct by a Member that the person or Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
 - (a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop,
 - (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.
- 13.9. Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

14. Formal Complaint Process

- 14.1. Any person or Any Member who has identified or witnessed conduct by a Member that the person or Member reasonably believes, in good faith, is in

contravention of this Bylaw may file a formal complaint in accordance with the following procedure:

- (a) All complaints shall be made in writing and shall be dated and signed by an identifiable individual;
- (b) All complaints shall be addressed to the Investigator;
- (c) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
- (d) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator;
- (e) Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
- (f) If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- (g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- (h) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- (i) A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

15. Compliance and Enforcement

- 15.1. Members shall uphold the letter and the spirit and intent of this Bylaw.
- 15.2. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 15.3. No Member shall:

- (a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
 - (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 15.4. Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
- (a) a letter of reprimand addressed to the Member;
 - (b) requesting the Member to issue a letter of apology;
 - (c) publication of a letter of reprimand or request for apology and the Member's response;
 - (d) suspension or removal of the appointment of a Member as the chief elected official under section 150(2) of the Act;
 - (e) suspension or removal of the appointment of a Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
 - (f) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
 - (g) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
 - (h) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
 - (i) any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Member from fulfilling the legislated duties of a councillor and the sanction is not contrary to the Act.

16. Review

- 16.1. This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

17. Repeal

- 17.1 Bylaw 744-18, Code of Conduct Bylaw, is hereby repealed.


READ a First time this 16th day of September, 2021.

READ a Second time this 16th day of September, 2021.


UNANIMOUS CONSENT to proceed to third reading this 16th day of September, 2021.

READ a Third time this 16th day of September, 2021.

SIGNED AND PASSED this 16th day of September, 2021.



MAYOR JUDY TRACY



WENDY WILDMAN
CHIEF ADMINISTRATIVE OFFICER

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**BYLAW NO. 763-19
TOWN OF ONOWAY**

Being a Bylaw of the Town of Onoway to regulate the proceedings and the conduct of business at Town of Onoway Council and Committee Meetings.

WHEREAS, the Council of the Town of Onoway feels it is expedient to make rules and regulations for calling meetings, governing its proceedings and the conduct of its members;

NOW THEREFORE, the Council of the Town of Onoway in the Province of Alberta, duly assembled enacts as follows:

TITLE: The Bylaw may be cited as the Council Procedure Bylaw.

DEFINITIONS:

1. In this bylaw:
 - a) "Acting Mayor" shall mean the member selected by Council to preside at a meeting of Council in the absence of both the Mayor and the Deputy-Mayor;
 - b) "Agenda" means the agenda for a regular or special meeting of Council prepared pursuant to the "Agenda" Section of this bylaw;
 - c) "Bylaw" means a bylaw of the Town of Onoway;
 - d) "CAO" means Chief Administrative Officer or Municipal Manager, or delegate, for the municipality;
 - e) "Committee" means a body of members delegated to consider, investigate, take action on or report on some legislative matters;
 - f) "Council" means the Mayor and Councillors of the Town of Onoway for the time being elected pursuant to the provisions of the Local Authorities Election Act and Municipal Government Act whose term is unexpired, who have not resigned and who continue to be eligible to hold office under the terms of the related provincial legislation;
 - g) "Deputy Mayor" means the member who is elected by Council at the Organizational meeting to hold that position;
 - h) "Delegation" means any person that has permission of council to appear before council or a committee of council to provide pertinent information and views about the subject before council or council committee;

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- i) "Disruption" means any act meant to impede the proceedings of a meeting whether the source be council members, delegates or public at large;
- j) "Mayor" means the member of council who is elected pursuant to the provisions of the Local Authorities Election Act and Municipal Government Act whose term is unexpired, who has not resigned and who continues to be eligible to hold office under the terms of the related provincial legislation, who serves as chairman of council meetings;
- k) "Member" means a member of Council, duly elected and continuing to hold office or a person at large appointed by council to a committee of council;
- l) "Municipality" means the Municipality of Onoway, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality;
- m) "point of order" means a demand that the Chair enforce the rules of procedure;
- n) "point of privilege" means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual councilors and includes the: organization or existence of council, comfort or members or conduct of employees or members of the public in attendance at the meeting;
- o) "postpone" means to delay the consideration of any matter either to definite time when further information is to be obtained or indefinitely;
- p) "Presiding Officer" means the member selected to serve as chairman of that particular committee or council; mayor.
- q) "Quorum" means the majority of the valid members of all the councilors that comprise the Council;
- r) "table" means a motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter;
- s) "Town" means the Town of Onoway;

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APPLICABILITY:

1. This bylaw applies to all members attending meetings of council, or committees established by council.

SEVERBILITY:

1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

AGENDA AND ORDER OF BUSINESS:

1. Prior to each meeting, the CAO shall prepare a statement of the order of business to be known as the "Agenda" of all matters to be brought before council. Any member of Council, Town official or any other person wishing to have an item of business placed on the agenda shall make the submission to the CAO no later than 4:00 p.m. on the Thursday of the week prior to the meeting. The submission shall contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter.
2. The agenda for each regular and special meeting shall be prepared by the CAO and submitted, together with copies of all pertinent correspondence, statements and reports, to each member of Council at least 48 hours prior to said meeting.
3. No item of business shall be considered by the Council if the item has not been placed on the agenda unless members of Council present agree to the item being placed on the agenda. The Mayor, any Councillor or the CAO shall be given an opportunity to state why an item shall receive consideration on the agenda because of its emergent nature before the motion is put to a vote.
4. Where the deadlines in section 1 & 2 are not met, the agenda and support materials shall be deemed to be acceptable when the agenda is adopted at the meeting.
5. The business intended to be dealt with shall be stated in the agenda in the following order where applicable:
 1. Call to Order
 2. Adoption of agenda
 3. Adoption of previous minutes
 4. Appointments/Public Hearings
 5. Financial Reports
 6. Policies & Bylaws

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7. Action Items
 8. Council, Committee & Staff Reports
 9. Information Items
 10. Closed Session
 11. Adjournment
 12. Upcoming Events
6. The order of business at a meeting is the order of the items on the agenda except:
- a) When the same subject matter appears in more than one place on the agenda and council decides, by motion, to deal with all items related to the matter at the same time;
 - b) Council decides not to deal with an item on the agenda and no motion is made about it;
 - c) When altered by the presiding officer with no objection from members, or otherwise determined by a majority vote of the members present, and the vote, upon a matter of priority of business shall be decided without debate.

GENERAL RULES OF COUNCIL

1. The day and time on which the regular meeting of Council should commence, and the location, shall be set by a resolution of Council at the Organizational Meeting.
2. If Standing Committees of Council are established, they may be established by bylaw, and any such bylaw shall state how the Standing Committees shall function.
3. As soon after the hour of the meeting as there shall be a quorum present, the Mayor shall take the chair and call the meeting to order.
4. In a case where the neither the Mayor nor Deputy Mayor are in attendance within fifteen (15) minutes after the hour appointed for a meeting and a quorum is present, the CAO or Municipal Manager shall call the meeting to order and an Acting Mayor shall be chosen by the Councillors present. The Acting Mayor shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.
5. If there is no quorum present within half an hour after the time appointed for a regular meeting of Council, the CAO or Municipal Manager shall record the names of the members of Council who are present and the meeting shall be absolutely adjourned until the next regular meeting unless a special meeting has been duly called in the meantime.
6. If a meeting begins with quorum, but a member is unable to continue or in some other manner leaves the meeting and quorum is lost, the incident shall be duly recorded and the meeting shall absolutely adjourn until the next regular meeting unless a special meeting has been duly called in the meantime.

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7. The Mayor or Presiding Officer shall preserve order and decorum and shall decide questions of order subject to an appeal to the Council by resolution. Decision of the presiding officer shall be final unless reversed or altered by a majority vote of members present.
8. If order is lost and a disruption occurs, the Mayor or Presiding Officer shall request the offender(s) leave the council chambers at once. If the offender(s) refuse, a recess shall be called and the appropriate law enforcement agency contacted for assistance.
9. When a Mayor or Presiding Officer is called on to decide a point of order or practice, he/she shall do so without argument or comment and shall state the rule of authority applicable to the case.
10. Every member wishing to speak to a question or motion shall address himself/herself to the Mayor or Presiding Officer.
11. The Mayor or Presiding Officer shall have authority to set a time limit and the number of times that a member may speak on the same question or resolution having due regard to the importance of the matter.
12. A motion submitted to Council does not require a seconder.
13. Negative motions may not be accepted by the Presiding Officer nor considered by members.
14. When a motion has been made and is being considered by the Council, no other motion may be made and accepted, except:
 - (1) A motion to refer the main question to some other person or group for consideration;
 - (2) A motion to amend the main question;
 - (3) A motion to table the main question;
 - (4) A motion to postpone the main question to some future time;
 - (5) A motion to adjourn the meeting, provided that a motion to table shall not be debated except as to the time when the matter will again be considered.
15. Where a question under consideration contains distinct propositions, the vote upon such proposition shall be taken separately when any member so requests or when the Mayor or other Presiding Officer so directs.
16. After any question is finally put by the Mayor or other Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or the Presiding Officer as to whether the question has been finally put shall be conclusive.

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17. Voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the Presiding Officer;
18. Members of the public who constitute the gallery in the Council Chambers during a Council meeting may not address Council without permission of the Council, shall maintain order and quiet, and shall not applaud or otherwise interrupt any speech or action of members of Council.
19. Council shall hear all delegations who have brought their items of business onto the agenda in the order in which they are placed on the agenda or the order may be changed by a majority vote of members present. All rules of Council in this Bylaw shall apply to each and every member of the delegation. Delegations shall have fifteen (15) minutes for presentation.
20. Members shall vote on all motions brought forward in meetings unless a conflict of interest or pecuniary interest has been declared prior to the motion.
21. If any member of the Council shall call for a recorded vote, the names of those who vote for and those who vote against the motion shall be entered in the minutes. A request for a recorded vote must precede the voting on a motion.
22. Council may adjourn from time to time to a fixed future date any regular or special meeting of Council that has been duly convened but not terminated. The object of adjourning is to finish the business that the meeting was called to transact in the first place but which has not been completed.
23. Council and council committees may close all or part of a meeting to the public if a matter to be discussed is one of the exemptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act. When the Mayor or Presiding Officer declares an item "Closed Session", the reason shall be stated and recorded in the minutes, and all attendees except those specifically designated to be in attendance, shall clear the council chambers. A sign indicating "Closed Session" shall be posted on the exterior of the chamber doors and shall remain in place until the item(s) have been dealt with and the session is moved back into the public realm.
24. Any matter of meeting conduct which is not herein provided for shall be determined in accordance with "Roberts Rules of Order";

RECORDING OF MINUTES:

1. The CAO may delegate any duties to a recording secretary but shall accept all responsibilities of the duties.
2. If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.

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BYLAWS:

1. Where a bylaw is presented to Council for enactment, the CAO shall cause the number and the short title of the bylaw to appear on the Agenda in the appropriate place.
2. Every bylaw shall have three readings.
3. After a member has made the motion for the first reading of the bylaw Council may:
 - a) debate the substance of the bylaw; and
 - b) propose and consider amendments to the bylaw.
4. Unless the members present at a meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.
5. Where required by provincial statute, a bylaw shall be advertised or submitted to the electorate for voting as set out in the relevant statutes.

The Town of Onoway Bylaw No. 745-18 is hereby repealed.

This Bylaw comes into full force and effect upon third and final reading.

Read a first time this 24th day of October, 2019.

Read a second time this 24th day of October, 2019.

Given unanimous consent to proceed to third reading, this 24th day of October, 2019.

Read a third time and final time this 24th day of October, 2019.



Mayor Judy Tracy



Chief Administrative Officer
Wendy Wildman

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Town of Onoway
2021 Organizational Meeting – Commission/Committee
Background Report

Various Regional Service Commissions

- **Capital Region Assessment Services Commission.** The CRASC was formed by ministerial order in 1996 and has 31 member municipalities to which Onoway is a member. The CRASC provides the Town's assessment services (actual assessments of each property) as well as our Subdivision and Development Appeal services (provide the board members and secretary to hear any SDAB appeals). I believe the executive meetings are quarterly, and then there is an annual meeting to which anyone can attend which is scheduled for November 16, 2021 at 10:00 a.m. virtually by zoom (normally it's in Edmonton)

- **Highway 43 East Waste Commission.** This Commission is made up of 17 member municipalities from within Lac Ste. Anne County boundaries and it owns and operates the regional landfill site located just west of Gunn along Highway 43. This site collects household waste, and recycling such as wood, metal, tires, cardboard, paper etc. and hazardous waste (paint, oil etc). There is an executive board of 7 members (LSAC 2, Mayerthorpe 1, Alberta Beach 1, Onoway 1, Summer Villages 2) who meet as required (every couple months or quarterly), usually in the morning at the County office. The administration and management of the Commission is contracted to Lac Ste. Anne County. The next meeting is scheduled for December 20th, 2021 at 9:30 a.m. at the County office. We have the last meeting agenda (Oct. 12) available to provide to the representative appointed at our org. meeting. Honorarium and mileage is paid by the Commission.

- **West Inter Lake District (WILD) Regional Water Services Commission.** The start up meetings for this Commission commenced back in 2005 and I believe the Commission was established by Ministerial Order in 2007. Member municipalities have continued to increase over the years and currently there are 17, with 4 additional municipalities pending. The Town has been a member since inception. The mandate of this group was to bring treated water to the communities of the member municipalities. It was late in 2017 when regional water actually came to Onoway. Phase I seen a waterline constructed to Wabamun and Paul

First Nation. Phase II seen a waterline constructed to Onoway, Alberta Beach and north around the lake past Gunn and to Alexis First Nations. Phase III is still in construction and is extending out to Seba Beach and Entwistle areas, and Phase IV is complete to Sandy Beach and yet to be constructed to Rich Valley. I believe total construction costs are in excess of 100 Million to which the member municipalities have to cover 10%. This Commission also owns and operates 6 truck fill stations through Parkland and Lac Ste. Anne Counties. The Town pays annual governance and operating costs (prorated based on membership) of around \$19,000.00 and annual debenture costs of for Phase I and II construction of around \$41,000.00, and we expect additional debenture costs will come for Phase III and IV. The executive of the WILD Water Commission consist of 8 members (1 from each Parkland County, Paul First Nation, Lac Ste. Anne County, Alberta Beach, Onoway, Alexis Nakota First Nation and 2 from the Summer Villages group) and this executive board meets every couple months. Board members are paid their respective honorariums directly by the Commission. The next meeting is at the Call of the Chair but is anticipated to be the first week or two of November. Currently meetings are a combination of in-person and virtual opportunity to participate. Honorarium and mileage is paid by the Commission.

a) Appointments to Regional Boards

- **East End Bus Society** is a regional initiative and partnership that has been in existence for 20 ish years. The Society executive consists of 5 members on the Board and they meet quarterly. This Society owns and operates the east end bus and the various trips and programs provided within. The 3 larger partners being the County, Onoway and Alberta Beach each provide in kind support (Onoway provides administration, Alberta Beach houses the bus, and the County covers repair costs) and each also provides an annual contribution towards the annual operating costs and bus replacement fund (Onoway is about \$7,000.00/year) and each of the 12 Summer Villages provide an annual contribution to the bus replacement of \$300 each.
- **Yellowhead East Community Futures** this group has been in existence for 20 plus years and has gone through some name changes over that time. YECF consists of 10 member municipalities each having 1 member representative, and I believe they meet once a month in Whitecourt/zoom. They offer many programs and services to the various communities, including their investment by way of loans to businesses. This is the group that had a zoom meeting for all candidates explaining what they are all

about prior to the election. At the October 7th, 2021 meeting Council approved the Town participating in the CFYE Traveling Incubator One Year Pilot Project and provide occasional office space (Council Chambers) for CFYE to work out of and meet with clients. Honorarium and travel paid by YECF.

- **Lac Ste. Anne Foundation** every municipality in the Province of Alberta must belong to a Seniors Foundation and in our area it is the Lac Ste. Anne Foundation. Our Foundation runs from Fox Creek to Onoway and owns and operates, or just operates on behalf of the Province, the Seniors facilities and assisted living, and/or affordable housing facilities in the various member communities. The Board meets I believe monthly, and the Foundation covers the members respective honorariums and mileage. Directors include 1 rep from each Onoway, Alberta Beach, Lac Ste. Anne County, Mayerthorpe, Whitecourt and Woodlands County, and 2 from the Summer Villages group.

- **Yellowhead Regional Library Board** there are various regional library boards struck throughout the province and in our area it's the YRL which in general terms is the greater Edmonton area west to the BC border and consists of municipalities and school boards. They have an executive board which meets every couple months, and then one annual meeting.

- **Economic Development Committee/Partnership Committee** this is an initiative between the Town and Lac Ste. Anne County which really rolled its sleeves up and got working in 2019. In 2021 Alberta Beach joined the partnership. For the most part this group has been funded by grant money but at some point will need to be funded through municipal dollars. This committee has created Partners in Progress, Shop the County and Come to Life in lac Ste. Anne. The group was meeting monthly (second Tuesday of the month) and the Town and County each had 2 reps and Alberta Beach 1. The administration is provided by Lac Ste. Anne County and they have a consultant(s) working with them. It was in response to this committee that the Town initiated in business license program. This partnership just received additional grant funding in 2021 of \$129,000 to continue with this program for 2021 and into 2022, and the Town budgeted an additional \$20,000 in our 2021 budget for additional expenses that may arise.

- **Community Policing Advisory Committee (CPAC)** I really do not know much about this group, I believe quarterly meetings take place in Spruce Grove and include RCMP and various other community stakeholders. The Town has had a Council rep on this group for many years.

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- **Onoway Regional Medical Clinic/Physician Recruitment Retention Committee** this group was originally formed 20 years back and consisted of majority of the communities within Lac Ste. Anne County. In 2015 when the County disbanded the municipal services package many Summer Villages and Alberta Beach withdrew from this committee. Currently this committee consists of Lac Ste. Anne County, Onoway and 4 Summer Villages (Ross Haven, Val Quentin, West Cove and Silver Sands). This group oversees the operation of the medical clinic in Town. In 2020 the County purchased the medical clinic building/pharmacy in Onoway and proceeded with the expansion to the medical clinic. In recent years we have recruited 3 new Doctors and demand for this service continues. Meetings are at the call of the Chair, usually quarterly. The Town financially supports this initiative, but that amount varies year to year.

- **North Saskatchewan Watershed Alliance** this group has been in existence for years and includes the municipalities and various stakeholders within the watershed area. I believe meetings are quarterly, but really do not know much else. The Town is a member and our annual membership fee is \$514.40. We have a copy of their last annual report to share with the newly appointed representative.

- **Onoway Regional Fire Services** previous to 2015 the County provided our fire service and rented our fire hall, but in 2015 the County advised they were pulling their fire department out of our hall and would station them somewhere in east end Lac Ste. Anne County and that our fees for service would double (based on call volume as opposed to parcel count) So a group of east end municipalities got together and contracted North West Fire Rescue to provide fire service to our communities. There are 10 municipalities in this group known as Onoway Regional Fire Services and two fire stations are operated one in Alberta Beach and one in Onoway. The Town provides the administration to this group. Executive meetings are normally 2 to 4 per year, and one annual meeting. The Executive consists of 1 Alberta Beach rep, 1 Onoway rep and 1 rep from the 8 Summer Village members. While there were growing pains in the early years, this unexpected and sudden change in service provision has resulted in a better regional service and in fact cost savings to the Town.

- **Emergency Management/Disaster Services Committee** after the many Provincial natural disaster (fires of Slave Lake, Fort Mac, Calgary flood, etc) the Province came down on municipalities and raised the bar with respect to expectations on municipalities to have a emergency management plan in place. The Town has been working on bringing our program up to standards, currently our Director of Emergency Management is Jason Madge and our Deputy Director of Emergency Management is Jan Christianson. Meetings are a couple times a year.

- **Revenue and Cost Sharing Study Committee** this committee started 4 or so years back with the approval of grant funding and Alberta Beach provided the administration. A consultant was hired to complete assessments of the various recreational buildings in our municipalities. All municipalities within Lac Ste. Anne County are included in this committee. The building assessments are completed and nothing has happened now for over a year.

b) Appointments to Local Boards:

- **Onoway Public Library Board** in 2018 the then members of the OPL Board approached the Town with respect to an interest free loan so they could continue to operate. The Town granted a \$12,000 loan. In 2019 the Town restructured its OPL Board and currently we have 8 members of which 2 are Town Council members and the rest are appointed at large. It took a couple years but this \$12,000 loan has now been repaid to the Town. Meetings are usually every couple months or quarterly in Council Chambers, and the Town provides the administration.

- **Region 1 Recreation and FCSS Board** the Town has been administering this program on behalf of the Town and several other municipalities ever since the County withdrew its services back in 2016. There has not been meeting in several years and funds are distributed simply by respective Council or municipal direction. The Town has an agreement with the Province for FCSS funds which on an annual basis the Province provides \$27,562 (80%) and the Town \$6,891 (20%) for a total annual allocation of \$34,453 (this allocation has been unchanged for many years). These funds are then distributed to community groups and individuals to provide various services and events throughout the community. A copy of where the Onoway funds have been allocated over the last 3 years is attached.



- **Onoway and District Chamber of Commerce** this group started up several years back and has done some great work. Meetings are held monthly, and this is the Town's opportunity to liase between town and businesses.

- **Onoway Beautification Committee** I don't believe this committee has met in quite a while.

- **Onoway & District Agricultural Society (ODAS) – Arena** ODAS owns and operates the Onoway Arena and the outdoor arena known as “the Joe”. The Town appoints a rep to attend their executive board meetings which are held monthly. In 2020 the Town committed a \$7,000 annual contribution to ODAS to help with their operating expenses for the years 2020, 2021 and 2022.

- **Onoway Facility Enhancement Association (OFEA) – Community Hall** -the Community Hall and parking lot are owned by the Town. For many many years the OFEA has had a lease with the Town with respect to the operation of the hall. At the end of 2020 the current lease expired and negotiations have been ongoing with respect to a new lease but nothing has been agreed to at this time. The hall was closed through some of the 2020/2021 year because of pandemic restrictions. Getting back to negotiating this lease agreement will be one of the first items put before Council. As an agreement was not in place at the start of 2021, the Town has been covering the respective utility costs (power, gas, water) at an estimated cost of \$9,000.00/year. The Town agreed to allow the OFEA to resume operating the hall while this lease agreement negotiations continue. I believe meetings are held once a month.

- **Onoway & District Historical Guild** the Town has a rep on this group who owns and operates the museum and heritage centre building. Meetings are once a month.

- **Regional Wastewater Line Committee** – for several years now the County has been proposing a regional sewer system that would encompass communities in both Lac Ste. Anne as well as Parkland Counties. At one point they were even proposing a treatment facility but I believe that is now off the table. There was one phase of the project which Town Council had agreed in principle to and that was a sewer transmission line from the Sandy Beach lagoon directly to the Onoway lagoon. While there was some preliminary and perhaps detailed engineering done on this it has kind of

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been shelved this last year. I expect discussions will start back up after elections. I believe this project was funding in the amount of 13 M +/- when it was originally intended to extend to Alexander First Nation. Alexander is no longer part of this project so I am unclear as to whether that would reduce this project funding or if those funds allocated to that particular portion will be reallocated within the entire project. Back in 2017 the Town of Onoway did open up its lagoon to receive wastewater effluent trucked in from the Summer Villages of Sunrise Beach and then in 2018 from the Summer Village of Sandy Beach (their sewage lagoon had been closed). The idea is this transmission line would eliminate the need for trucking and that deterioration of County roads etc. Currently there is only one sewage hauler who has been granted truck access to our lagoon and that is Standstone. Currently the disposal rate for wastewater effluent is set at \$55.00 per tandem axle load (up to 3000 gallons) and preliminary estimates is that it will increase to \$65.00 in 2022. In 2021 we did have a request from a company to haul effluent in from outside County boundaries and the Town did agree to that at a cost of \$210.00 per 6000 gallon load. The disposal fee rate has been set with intentions that accepting this additional effluent will cover the additional costs incurred in accepting it, plus start to build on reserves. We certainly did see an increase in the desludging that must occur, so our draft 2022 budget is proposing to move desludging costs from the capital budget (covered by grant funds) to the operating budget where user fees have to cover the expenses. In 2021 Council hired a consultant to prepare some additional grant applications for water and sewer capital projects and the first application submitted was for a septic receiving station (SRS). While the application has been submitted we have not heard back on it. The County is purchasing many SRS machines and allowed the Town to participate in that tender thereby benefiting from the volume purchase. Council did pass a motion to cover these funds through reserves should it not be covered in 1 of the 2 grant funding applications. The second part of this regional sewer line currently on the table is a line to be constructed from the Darwell Lagoon east and the latest I heard was discharging into the Sturgeon River between Onoway and Lac Ste. Anne. I believe this project has a price tag of 10 M and they have received grant funding for this as well.

- **Onoway Ball Diamond Committee** the Onoway ball diamonds are located on lands now owned by Northern Gateway. The last couple summers it has been much harder for community groups to use these diamonds and now NG has advised no one will use them until a school use agreement is signed. A couple meetings happened last year over this and NG (or at least the last Superintendent) only wanted to deal with Lac Ste. Anne County. NG has proposed an agreement with the County, and then is proposing an agreement with the Town of Onoway. What NG is hoping to achieve with this school use agreement is that the County or Town will start doing the

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grounds maintenance at their facilities. A couple years back the Town did start going into the ball diamonds and mowing the grass because the diamonds were not being kept up to a standard that allowed safe and enjoyable use. In this proposed school use agreement NG is now looking for mowing around the elementary school and walking track, and I am sure will then lead into snow removal and sanding. The Town has proposed to both NG and LSAC that the ownership of the diamonds should be transferred from NG to either LSAC or the Town so this area could be utilized by the community as originally intended when the land was donated for diamonds. NG has a new Superintendent now (just started in July) so I am confident that over this coming winter the 3 parties will get together to have further discussions on this and hopefully we will get something in place for summer 2022.

c) Miscellaneous Council Appointments:

- **Inter Municipal Development Plan Negotiating Committee** this is a planning document requirement by the province and is in partnership with Lac Ste. Anne County for lands within close proximity of the Town. This committee has not met in years (since the IDP was approved) but I do believe a review of our IDP should take place within the next year or so (abandoned landfill and lagoon at Ruth Cust Park needs to be included in IDP for example)

- **Highway 43 Functional Planning Study – Technical Review Committee** this committee has not met in years and probably won't until Alberta Transportation, the County or the Town decides to initiate something. This committee was looking at the future access to Onoway (current access off Hwy 43 would be removed and future access would move farther north and swing northeast to Hwy 37 and then south past WTP road.

- **Onoway Interagency Committee** I don't know much about this committee, they meet every couple months and various stakeholders attend (Town, County, AHS, Chamber?, Schools)

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TOWN OF ONOWAY	2021 Allocation	2020 Allocation	2019 Allocation
Onoway Library	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
ODAS	\$ 2,500.00	\$ 5,000.00	\$ 4,500.00
BEAUTIFICATION		\$ -	\$ 500.00
CADETS	\$ 500.00	\$ -	\$ 500.00
CHATEAU (SENIORS) - LSAC?	\$ 1,000.00	\$ 500.00	\$ 500.00
CURLING CLUB LITTLE ROCKS	\$ 500.00	\$ 1,000.00	\$ 1,000.00
DARTS		\$ -	\$ 450.00
EAST END BUS	\$ 1,300.00	\$ 1,300.00	\$ 800.00
ODAS FARMERS MARKET -	\$ 625.00	\$ -	\$ 500.00
FISH N' GAME	\$ 500.00	\$ -	\$ 850.00
FOOD BANK	\$ 1,000.00	\$ 500.00	\$ 500.00
GIRL GUIDES	\$ 500.00	\$ 500.00	\$ 500.00
LEGION	\$ 1,000.00	\$ 100.00	\$ 100.00
MEALS ON WHEELS (HAZEL BOURKE)	\$ 800.00	\$ 800.00	\$ 260.00
ONOWAY MOM AND TOTS	\$ 750.00	\$ 1,500.00	\$ 1,500.00
GUILD	\$ 500.00	\$ 500.00	\$ 500.00
ONOWAY FACILITY (ONOWAY HALL)	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00
ONOWAY GOLDEN CLUB	\$ 200.00	\$ 200.00	\$ 200.00
ONOWAY HERITAGE TRAIL COMMITTEE	\$ -	\$ -	\$ 500.00
ONOWAY HIGH SCHOOL	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
ONOWAY PARENTS ELEMENTARY	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
SCOUTS	\$ 500.00	\$ -	\$ 500.00
PLAYSCHOOL		\$ -	\$ 2,900.00
ADULT VOLLEY BALL	\$ 150.00	\$ 225.05	\$ 225.05
SUMMER PROGRAMS	\$ -	\$ -	\$ 2,500.00
CHRISTMAS PARTY (SHELIA DOKA)	\$ 500.00	\$ 500.00	\$ 500.00
YOUTH GROUP THE FOUNDRY - \$3000?	\$ 7,000.00	\$ 4,500.00	\$ 1,500.00
ONOWAY SKATING CLUB	\$ 750.00	\$ 1,500.00	\$ -
TOWN OF ONOWAY SOUND SYSTEM	\$ 199.99		
LIBRARY CHRISTMAS PARTY	\$ 900.00	\$ 900.00	\$ 900.00
SENIOR WISH LIST	\$ 425.00		
PLAYSCHOOL AND OUT OF SCHOOL CARE	\$ 1,000.00		
TOWN OF ONOWAY LIGHT UP	\$ 1,100.00		
TOTAL	\$ 30,799.99	\$ 26,125.05	\$ 29,285.05
CARRY OVER	\$ 3,160.00		
Total FCSS Money Left to spend	\$ 1,645.06	\$ 3,160.00	
TOTAL FCSS MONEY AVAILABLE:	\$ 32,445.05	\$ 29,285.05	\$ 29,285.05

HOLD

HOLD

\$3160.00 CARRY OVER FROM 2020 (LAST YEAR)

FOUNDRY - GIVING THEM \$1000.00 A MONTH FOR A 12 MONTH PERIOD PROVIDING THEY ARE ABLE TO CONTINUE RUNNING PROGRAMS

(2020 - 3 MONTHS PAID/2021 - 9 MONTHS COMMITTED TO).

CHEQUES THAT HAVE BEEN ISSUED ALREADY

HOLDING

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Town of Onoway

Council Policy

Number	Title			
C-COU-REM-1 (1.2, 3.1, 3.6)	Council Remuneration and Expense Reimbursement			
Approval	Originally Approved		Last Revised	
(CAO initials)	Resolution No:	312/13	Resolution No:	304/19
	Date:	May 9, 2006	Date:	Oct. 24, 2019

Purpose

To ensure Council Members receive fair compensation for their time and expenses incurred while on Town business.

Policy Statement

Council Members shall be provided with remuneration for their time and reimbursement for the expenses incurred in fulfilling their duties on Town Council.

Standards

1. Remuneration is intended to compensate for official business conducted on behalf of the Council as a whole to benefit the Town of Onoway.
2. Remuneration is not intended to match or replace employment or professional rates that the Councillors or Mayor may expect in their job or profession.
3. Remuneration rates will be adjusted from time to time based upon comparisons, inflation rates, and any other considerations deemed appropriate in a manner agreed upon by Council.
4. Cost of living adjustment will be reviewed by council on an annual basis and may or may not be applied to council base pay and/or meeting rates at the discretion of Council.
5. Remuneration shall be paid in accordance with the amounts and rates shown in Schedule "A".
6. Travel – as per the simplified per kilometer rate for Alberta according to Canada Revenue Agency.
7. Meals – as per the simplified flat rate according to Canada Revenue Agency without receipt, or full reimbursement per receipt, including a maximum gratuity of 15%. No alcoholic beverages shall be paid for by the Town at any time.
8. Other Items – actual receipted cost. May include incidentals such as parking, use of public transportation, etc.



Town of Onoway

Council Policy

9. Lodgings – shall be paid by receipt and Council Members shall use discretion in selecting accommodations. If a Council Member is lodging with a friend or relative, the Council Member shall be paid an honorarium as agreed upon by Council at the time.
10. Communications – shall be provided with a monthly communications allowance to cover expenses related to personal communications (telephone, internet, smart phone, etc.) as shown in Schedule "A".
11. Schedule "A" shall be reviewed annually.

Legal References:

Cross References:

Revisions:

Resolution Number	MM/DD/YY
077/19	03/21/19
410/18	10/18/18
279/17	06/15/17
171/17	10/05/17
281/16	10/20/16
168/15	05/07/15
005/15	01/15/15
213/13	10/24/13
	12/01/11
	11/17/11
	03/11/11
	01/01/07
	05/19/06

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Town of Onoway

Council Policy

Schedule "A" (Approved by Resolution– Oct. 2019 Org. Meeting)

Honorariums

- | | |
|--|--|
| 1. Regular Council Meetings – Mayor & Councillors | \$175.00 |
| 2. All other meetings or activities related to Town business | \$25.00/hour to a
max. \$175.00/day |

Note:

- Expense forms must be filled out and signed by each member of Council prior to reimbursement. Expense forms shall be submitted prior to the last business day of the month.

Billable time is to be rounded up to the nearest 30 minute increment. Minimum pay will be 4 hours.

Accommodation Expense

When travelling on Town business the actual cost of the accommodation may be claimed.

Communications Expense

The Mayor shall receive \$400 per month as reimbursement for personal cell phone use and personal internet costs incurred in exercising his/her duties as an elected official, as well as personal time required for the preparation for all of their meetings.

All councillors shall receive \$250 per month as reimbursement for personal cell phone use and personal internet costs incurred in exercising their duties as an elected official, as well as personal time required for the preparation for all of their meetings.

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Town of Onoway

Council Policy

Council and select employees are provided with an iPad for Town business. The Town will pay up to \$20/month towards data usage. Any cost incurred over and above this \$20 will be reimbursed to the Town by the individual using the iPad, unless otherwise authorized by the Chief Administrative Officer

Donations

Annually, in November, Council may consider the donation of \$100 per Council member to the East Lac Ste. Anne Food Bank.

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