

Agenda
Village of Carmangay
Special Council Meeting
Carmangay Seniors Centre
June 16, 2020
6:30 p.m.

1. Call to Order
2. Guests: None
3. Approval of Agenda for June 16, 2020 Regular Council Meeting
4. Approval of Minutes of May 21, 2020 Special Council Meeting
5. Business Arising
6. Old Business
7. Public Works Report
8. Administrator Report
9. Correspondence
10. Financial Reports
11. New Business
 - a) Downtown Parking Plan
 - b) McFarland Trail Next Steps
 - c) Bylaw Consolidation Bylaw
 - d) Council Code of Conduct Bylaw
 - e) COVID 19 Update
 - f) Job Postings Update
12. Reports
 - a) ORRSC
 - b) Marquis Foundation
 - c) Vulcan District Solid Waste
 - d) Carmangay & District Library Board
 - e) FCSS
 - f) SouthGrow
 - g) Twin Valley Regional Water Services Commission
 - h) Mayors and Reeves of Southern Alberta
 - i) Chinook Arch
13. Closed Session
14. Adjournment.

**Regular Meeting of Council for the
Village of Carmangay,
May 21,2020
at the Carmangy Seniors Centre**

CALL TO ORDER Meeting was called to order by Mayor Stacey Hovde
@ 4:00 p.m.

GUESTS None

PRESENT Stacey Hovde, Mayor
JoAnne Juce, Deputy Mayor
Peggy Hovde, Councilor
Patrick Bergen, Chief Administrative Officer

APPROVAL OF THE AGENDA

Motion made by Deputy Mayor JoAnne Juce to approve the agenda.

Carried

MINUTES

Motion made by Councillor Peggy Hovde to table the approval of the April 30, 2020 Special Council Minutes.

Carried

BUSINESS ARISING

None

OLD BUSINESS

None

PUBLIC WORKS REPORT

The Public Works Report was reviewed as presented in the agenda.

CAO REPORT

CAO, Patrick Bergen reviewed the Administrators Report as presented in the agenda.

Motion by Deputy Mayor Joanne Juce to accept the Public Works and CAO reports.

Carried

Motion by Mayor Stacey Hovde to send a letter to Vulcan County about the good work on the road grading dust abatement.

Carried

CORRESPONDENCE

None

FINANCIAL REPORTS

CAO Patrick Bergen reviewed the Financial Report as presented in the agenda.

Motion made by Councillor Peggy Hovde to accept the financial report.

Carried

NEW BUSINESS

A. 2020 Tax Rate Bylaw

Motion made by Councillor Peggy Hovde to pass the first reading of Bylaw 793 the 2020 Tax Rate Bylaw.

Carried

Motion made by Deputy Mayor Joanne Juce to pass the second reading of Bylaw 793 the 2020 Tax Rate Bylaw.

Carried

Motion made by Mayor Stacey Hovde for permission for third reading of Bylaw 793 the 2020 Tax Rate Bylaw.

Carried Unanimously

Motion made by Councillor Peggy Hovde to pass the third reading of Bylaw 793 the 2020 Tax Rate Bylaw.

Carried

B. Parking Overview

A draft downtown parking plan was presented and discussed by Council.

C. Water System Update

Motion made by Mayor Stacey Hovde to accept the Water System Update as information.

Carried

D. Carmangay Community Centre Tax Exemption

Motion made by Councillor Peggy Hovde to move the Carmangay Community Centre Association land and improvements at Plan 570X Block 4, Lots 13, 14 to tax exempt status.

Carried

E. Carmangay Community Centre Utility Exemption and Commercial Rate

Motion made by Deputy Mayor Joanne Juce to continue charging the same commercial utility rates for the Carmangay Community Centre.

Carried

F. Solar Funding

Motion made by Deputy Mayor Joanne Juce to fund the net amount of \$234,080 that will be owed for the solar park project from municipal capital grants after the Alberta Municipal Solar Program grant in the amount of \$145,920 has been received.

Carried

Motion made by Mayor Stacey Hovde to create a solar reserve fund to be financed with annual electricity savings starting January 1, 2021 at a contribution rate of \$13,000 annually.

Carried

REPORTS

a) ORRSC

None.

b) MARQUIS

A new CAO has been hired and is now under contract.

c) VULCAN DISTRICT SOLID WASTE

None.

d) CARMANGAY AND DISTRICT LIBRARY BOARD

None.

e) FCSS

None

f) SOUTHGROW

None.

g) TWIN VALLEY REGIONAL WATER COMMISSION

None

h) MAYORS AND REEVES OF SOUTHWEST ALBERTA

None

i) CHINOOK ARCH

None.

CLOSED SESSION

FOIP Division 2 Section 17 for Staffing

In Camera was: Mayor Stacey Hovde, Deputy Mayor Joanne Juce, Councillor Peggy Hovde and CAO Patrick Bergen.

Moved by Councillor Peggy Hovde to go in camera at 5:40 p.m.

Carried.

Moved by Councillor Peggy Hovde to move out of camera at 6:15 p.m.

Carried.

ADJOURNMENT

Mayor Stacey Hovde adjourned the meeting at 6:16 p.m.

Next Regular Council meeting – June 16, 2020 at 6:30 p.m. at the Carmangay Seniors Centre

Mayor Stacey Hovde

Chief Administrative
Officer Patrick Bergen

Public Works Report

In addition to their normal duties, Public Works was focused on the following:

Dept	Priority	Item	Notes
Water	1	Cap water line into old building (part of water project)	
PW	1	Demolish buildings on Pacific Avenue property	Completed, except for wiring and move garage
Water	1	Complete items on Water Inspection Report	in progress
Sewer	1	Repair exhaust leak on gas engine	
Projects	1	follow up on car charging station	waiting for Peaks and Prairies
Sewer	1	Sewer backup on 311 Grand Ave	Completed
Alleys	1	Survey resident back alley	in progress
Water	1	Service WTP generator	
Water	1	change PRV in water plant	AE&P directive, butterfly valve now loosened.
Sewer	1	order new lift station auto dialer antenna	Completed
Sewer	1	Download auto dialer software	Completed
Sewer	1	Call JPAK Eng re phantom call outs at L.S.	Completed
Water	1	Call Capital H2O re chlorine monitor	Completed
Projects	1	Landscaping on Whitney & Stephen	Trees will be put in week of the 15th then complete
Projects	1	Make up estimate for external client	Complete - Project has been given the go ahead and is valued at just over \$70K
Projects	1	Whitney sanitary line	in progress
Roads	2	Confirm all the heavy truck route signs are up	Completed
Roads	2	Pacific Avenue low spot on road – new base?	clean ditch to the north
Sewer	2	Paint the catwalk at the lift station	Completed

Sewer	2	Order new wet well lid	
Parks	2	Create a permanent connection to the xmas lights on the tower	Completed
Water	2	update water meter reading software	in progress
Water	2	Flush Hydrants/Hydrant Maintenance/Flow Test	
Water	2	Exercise water valves	
Sewer	2	service lift station pumps	
Water	2	order & install water meter for resident service	3/4" pex fittings (In Progress)
Projects	2	Seniors facility contract	after Whitney sewer
Projects	2	Make up emergency bypass waterline	wait for grant funding notification
Roads	2	Patch Asphalt in front of hotel (Champion)	
Sewer	2	Ramp to lagoon to dump vac truck	
Sewer	2	Rebuild distribution boxes	Winter 2020
Projects	2	Tree trunk removal Stage #1	Completed
Water	2	Fix bulk water station	just need electrician and air gap valve
PW	2	Expose and repair 3 water shutoff valves for other municipality	
Projects	2	Water and sewer connection for industrial lot for other municipality	P/L ish next month or so
Projects	2	place gravel for solar farm	Get layout from contractor
Projects	2	Stage 4 Water distribution plan	Depending on grant
Projects	2	Stage #2 waterlines	
Projects	2	Stage #3 waterlines	
Sewer	3	Repair Sewer on Pacific Avenue	camer'd not a priority 1
Water	3	Torch and remove parts from the old water plant	
Parks	3	Pump out septic tank at TeePee rings	
Water	3	Order gaskets for hydrants / rebuild hydrants	
PW	3	Finish WHMIS labelling	
PW	3	Move building on Pacific Avenue property	
Parks	3	Create plan for Tee Pee Ring site	

Water	3	Fix irrigation at library	
Sewer	3	Get quote on Lift Station roof	Completed
Roads	3	Make up truck route map & policy	Completed
Water	3	Upload Stage 1 water pictures	
PW	3	Meet with ORRSC to update drawings	
Water	3	Final Stage #1 drawings with Engineering company	
Parks	3	Paint flag poles before sports day.	
PW	3	Make up maintenance manuals for each piece of equipment	
PW	3	Clean up stairs and build office	Fall 2020
PW	3	Purchase 1/2 ton	Future
PW	3	Weather striping on shop mandooors	Fall 2020
Parks	3	Landscaping at old fire hall	
Water	3	Camera lines at old water plant	
Roads	3	Get rid of grader	Completed
PW	3	Clean shop yard	Ongoing
PW	3	Bring up building to shop yard	Fall 2020
Parks	3	Fix gate at tipi rings	

Administrator Report

The following are the highlights or recent activity by administration;

Item	Priority	Update
Issue Assessment letters to property owners	1	Completed
Issue Tax Notices	1	Completed
Investigate Utility bill costs	1	In progress
Goal #1: Create fact sheets for each available property and load onto the Village website.	1	This is in progress as part of the Strategic Marketing Plan.
Rewrite Village of Carmangay Procedural Bylaw and bring to Council for consideration	1	Ensure "Closed Session" is used.
Create an inter-municipal development plan	1	In progress. MDP is complete
Goal #3: Create a plan and budget to upgrade and define a 3 km (McFarland Trail) pathway for Council's consideration by spring of 2019. Execute the plan by summer and fall of 2020.	1	In Progress
Redraft the Council Code of Conduct as a bylaw	1	Completed - presented at June 16, 2020 Council meeting.
Create bylaws establishing the positions of assessment review board clerk and subdivision and development appeal board clerk as designated officers.	1	
Create a bylaw that authorizes the CAO to consolidate bylaws	1	Completed - presented at June 16, 2020 Council meeting.
Ensure all planning documents are defined on the Village website as outlined in the new MGA.	1	

MAP - The village must pass bylaws establishing the positions of assessment review board clerk and subdivision and development appeal board clerk as designated officers.	1	
MAP - Council must pass a bylaw that authorizes the CAO or a designated officer to consolidate one or more bylaws in accordance with section 69(1) of the MGA.	1	
MAP - The village website must be updated to include a comprehensive list and summary of all planning policies and their relationships with other planning documentation and decisions.	1	
Ensure the maximum rate of interest to be paid is included in the next ATB Borrowing Bylaw	1	
MAP - Borrowing bylaw 781 must be amended to include the maximum rate of interest to be paid in accordance with section 251(2)(b) of the MGA.	1	
Amend Bylaw 738 to be in compliance of the MGA per the MAP report.	1	
Establish a bylaw to define the role of the Bylaw Officer and ensure the Bylaw Officer takes the required oath.	1	
Ensure the auditors define the salaries of designated officers (contracted assessor)	1	
Establish an SDAB by bylaw.	1	

<p>MAP - Moving forward, the village must ensure that the tax rate bylaw calculations are correct and only one minimum tax is levied. Also, the property tax bylaw must account for all requisitions imposed, including requisitions for designated industrial properties (DIP), in accordance with section 359(1) of the MGA.</p>	<p>1</p>	<p>The new Designated Industrial Property tax (less than \$100) will be added into the next tax rate bylaw.</p>
<p>MAP - Bylaw 738 must be amended to address the following:</p> <ul style="list-style-type: none"> • the bylaw must indicate that it is a bylaw of the Village of Carmangay; • the municipality must establish both a local assessment review board and a composite review board; and • the bylaw must be in compliance with legislation. <p>In addition, a designated officer must be appointed as the clerk of the assessment review boards and all members appointed to assessment review boards, as well as the clerk, must complete the mandatory training. Since all members of the regional board should have the same bylaw, it would be advisable to work with all member municipalities of the regional assessment review board, as well as their legal counsel, to ensure that member bylaws are consistent and comply with the requirements of the MGA.</p>	<p>1</p>	<p>The CAO will need to work with ORSCC to draft a new bylaw that is in compliance with the MGA.</p>

MAP - The municipality is required to establish a bylaw in accordance with sections 555 and 556 of the MGA if the municipality has a bylaw enforcement officer or bylaw enforcement provisions. Any person who is enforcing bylaws must take the official oath.	1	
MAP - The financial statements must disclose the salaries of all designated officers.	1	
MAP - The village must, by bylaw, establish an SDAB which meets all legislative requirements of Sections 627 and 628 of the MGA, and the accompanying regulations 43/2002 and 195/2017.	1	The CAO will need to work with ORSCC to draft a new bylaw that is in compliance with the MGA.
Ensure that future updates to the Land Use Bylaw include items defined in the MAP report	1	
MAP - The land use bylaw must be amended to include appendix A which establishes a fee schedule, or alternatively, a rates and fees bylaw must be passed to establish fees applicable to the land use bylaw.	1	The CAO will need to work with ORSCC to ammend the existing bylaw that is in compliance with the MGA.
Complete ICS 100, 200 and 300 Training	1	
Ensure the tax notices are sent out in accordance with the items identified in the MAP report.	1	
MAP - Moving forward, the tax notice content on the combined notice must be updated to include information on how to request a receipt for taxes paid, and the name and address of the designated officer with whom a complaint must be filed.	1	

MAP - A designated officer must certify the date tax notices were sent.	1	
Address CPR Land Trees	2	
Consult with Badlands consultant about parks / trail	2	
Look into truck retarder signs	2	
Do a full building review of the library including upgrading the furnace and create a budget and go forward plan.	2	PW got access and went into the interior roof cavity to see the condition.
Copy and publish all council meetings dating back to 2013 to the Village website	2	In progress
Copy all popular bylaws to the Village website	2	In progress
Obtain the old firehall drawings	2	
Confirm ownership of the old fire truck	2	
Investigate the cost of repainting the existing water tower and present to Council for consideration	2	
Review draft Codes of Practice	2	
Review draft Public Works Safety Plan	2	
MAP - The returning officer and deputy returning officers must take the official oath or statement prescribed in the Local Authorities Election Forms Regulation, before performing the duties of a returning officer or deputy returning officer.	2	

MAP - Moving forward, the village must retain the ballot account in accordance with section 100(1.1) of the LAEA for all by-elections and general elections for the duration of the council term.	2	
MAP - The village is required to dispose of election materials in accordance with section 101 of the LAEA and ensure that the appropriate affidavit is completed following the destruction of the materials.	2	
Research and present to Council new options for housing that promotes sustainability.	3	This is in progress as part of the Strategic Marketing Plan
Create a strategy by the spring of 2019 for the upcoming Intermunicipal Collaboration Framework negotiations that defines what current and proposed amenities should be funded with assistance from Vulcan County. Additionally, the infrastructure and core services will be assessed to understand what the expected cost sharing should be. An inventory of all current cost sharing arrangements will be conducted.	Delayed	In progress. MDP is complete

Correspondence

None

Financial Report

Bank Balance as at June 8, 2020:

Current Account: \$149,944.65

Investment Accounts \$ 40,149.04

Total \$190,093.69

Tax Arrears:

There are 14 properties with a total tax arrears as at May 31, 2020 of 18,772.05.

There were 18 properties with a total tax arrears as at April 30, 2020 of \$19,913.

There were 19 properties with a total tax arrears as at March 31, 2020 of \$20,099.

Utilities Arrears:

There is \$5,888.01 of utility arrears that are 90 days and older as at May 31, 2020.

There was \$3,716 of utility arrears that are 90 days and older as at April 30, 2020.

There was \$3,265 of utility arrears that were 90 days and older as at March 31, 2020.

	Budget	Current	Year to Date
REVENUES			
Taxes including School and Marquis	264,645.85	83.18	306,094.82
General Administration	91,926.00		11,419.55
Bylaw Enforcement	500.00		400.00
Public Works	40,000.00	35,686.00	53,393.88
Water Supply and Distribution	97,787.00		54,979.12
Wastewater and Disposal	25,143.00		14,712.91
Waste Management	45,900.00		27,874.77
Development	400.00		800.00
Cemetery	1,450.00		1,450.00
Land Sales			7,700.00
TOTAL REVENUES:	567,751.85	35,769.18	478,825.05
EXPENSES			
School, Marquis and Doctor Requisition	84,368.00		17,728.41
Council and Other Legislative	6,000.00	200.00	3,953.98
General Administration	176,001.00	637.17	115,224.72
Emergency and Bylaw	2,878.00		2,573.25
Public Works	101,700.00	121.91	128,264.30
Roads, Streets, Walks and Lighting	20,511.00	8,235.76	20,567.14
Water Supply and Distribution	102,900.00	569.68	35,283.71
Wastewater Treatment and Disposal	4,100.00	131.20	3,726.14
Waste Management	56,500.00		5,400.00
Community Programming	500.00		
Development	4,900.00		3,374.75
Parks and Recreation	4,100.00	74.47	833.05
Culture including Library	3,294.00		1,021.25
TOTAL EXPENSES:	567,752.00	9,970.19	337,950.70
SURPLUS (DEFICIT)	(0.15)	25,798.99	140,874.35

Notes to Financial Report:

- 1) **The public works and general administration are overstated as they do not yet reflect attributing the employee costs to capital projects.**
- 2) **The Taxes including School and Marquis Year to Date is about 14% higher than Budget. This is due to 2 reasons;**
 - a. **The budget assumes that there may be taxes unpaid for this year and was conservative in lowering the budgeted amount.**
 - b. **The Year to Date number for taxes reflects that the tax bills went out but does not show what has been paid. The full number is reflected as an asset for Current Taxes Receivable which is reduced as people pay their taxes.**
- 3) **The Public Works Revenue will be higher this year to reflect the better than expected performance of doing work for other organizations / municipalities.**

New Business

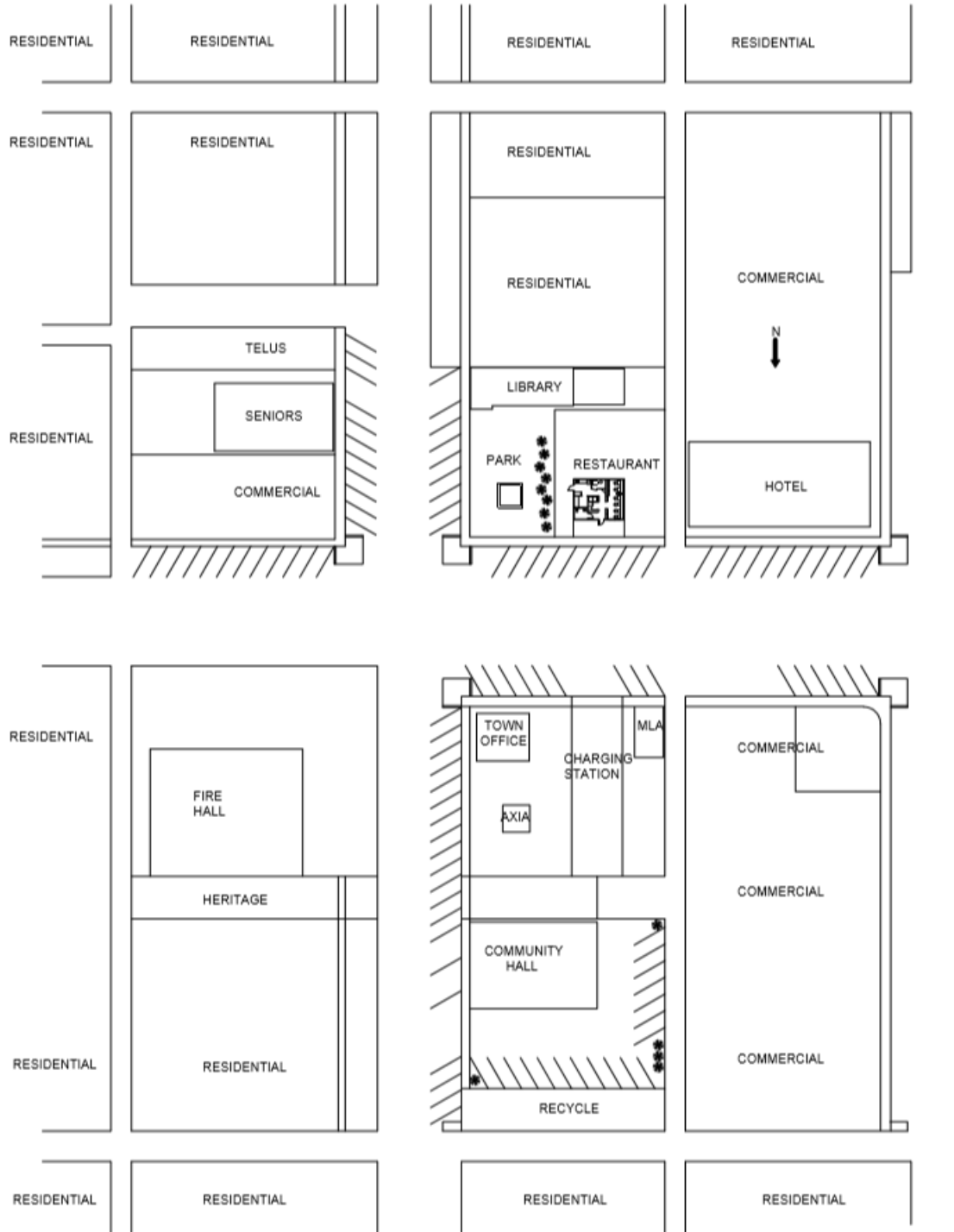
a) Downtown Parking Plan

Suggested Motion: Motion to direct the CAO to create a budget and plan for the downtown parking.

Motion to direct the CAO to investigate options to provide to the Carmangay Community Centre Association 1 land parcel to the north and the road portion to the south adjacent only to the existing building.

The below diagram was presented at the last Council meeting for review. It was determined that a plan may include;

- A line painting plan,
- A cement curb and / or landscaping on the corners of the intersections to provide a visual cue for parking,
- The sale of the lands listed in the motion to be added to the intended Carmangay Community Hall.



b) McFarland Trail Next Steps

Suggested Motion: Motion to direct the CAO to bring back options for the development of a master plan and high level budget for the McFarland Trail and adjoining lands.

There is some merit to having a cohesive plan for the McFarland Trail and the lands owned by the Village to optimize the recreational opportunities for residents and visitors.

There are a number of considerations listed below that will inform the master plan.

Shoulder of Pacific and Alta Vista

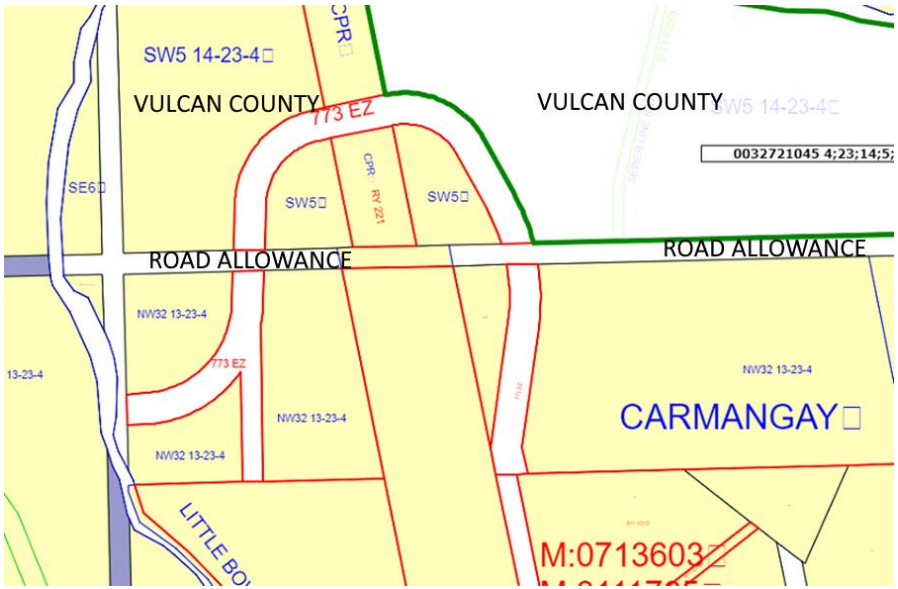
The section along Pacific Avenue and Alta Vista is approximately 1.13 km's and will likely utilize the road allowance shoulder.



North End

There is a road allowance that was registered in 1932 that originally provided for a route along Pacific, under the train bridge and then across the river to connect on the other side. The road allowance still exists in both Carmangay and Vulcan County.

This section does provide for physical access to the Little Bow River. The land surrounding the physical access though is privately owned.



PLAN
Showing Survey of Secondary Highway
CARMANGAY - VULCAN
SECS 5 & 6 - TP 14 & SECS 31 & 32 - TP 13 - R 23 - 4
 Scale: 1 in = 4 chs. 1931 A. Cormack, D.L.S.
 Note: Distances shown in blue and computer.

Alex. Cormack, Calgary
 In accordance with the provisions of the Public Works Act, 1907, I have surveyed and approved the following plan of a secondary highway between the Village of Carmangay and the Village of Vulcan, and that the said plan is correct and true in accordance with the provisions of the said Act.

Calgary, Alberta
 6th day of April 1932

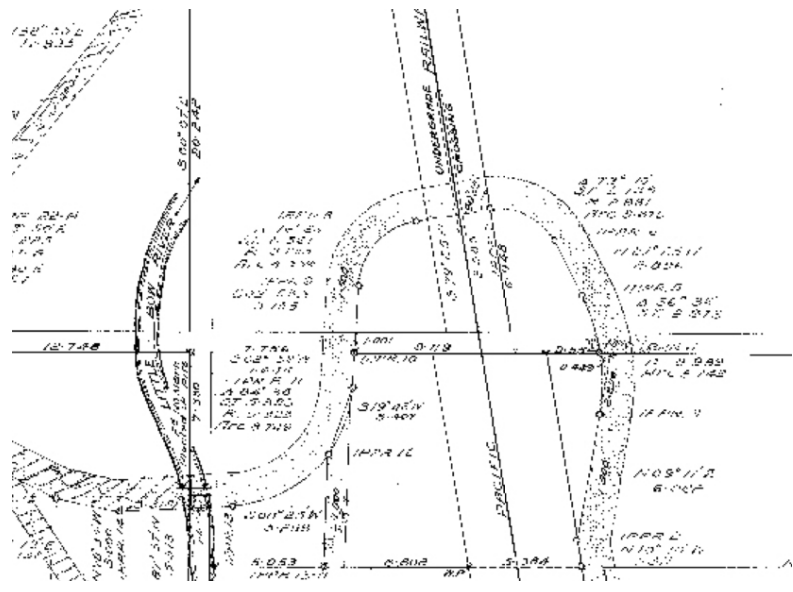
Frank Harvey
 A Commissioner etc.,

Cormack
 Registered Professional Surveyor

I hereby certify that this plan is a true copy of the returns of survey of the road shown hereon that such survey and plan have been made in accordance with the provisions of the Public Works Act and that I have measured and approved the said returns and survey and that I am the Deputy Minister of Public Works for the Province of Alberta and that my name has been filed in the Land Titles Office for the land registration district of *South Alberta* in pursuance of the said act.

Dated at Edmonton, this 27th day of October 1932

W. J. ...
 Chief Engineer, Deputy Minister of Public Works
 for the Province of Alberta. Ed 57-36



West Side

The Village owns all of the land west of the CPR lands. There are several challenges with this area which has seen significant erosion in the last 20 years. This has force those walking on the trail to traverse the area that is on the CPR owned lands.



There are several features that could be used for public benefit including;

- The old water tower,
- The old water plant which still has electricity and access to water,
- The river pumping station is still in good condition and provides opportunity for irrigation,
- There is significant green space with dramatic views of the coulee.



The Access Road from Alta Vista

There is a space owned by the Village zoned as urban reserve that is currently used as an access road to get to the water plant.



Other Considerations

There are a number of interpretive and historical considerations for signage. The current signs are weathered and in poor condition.

c) Bylaw Consolidation Bylaw

Suggested Motions:

Motion to adopt first reading of Bylaw 794 Bylaw Consolidation Bylaw

Motion to adopt second reading of Bylaw 794 Bylaw Consolidation Bylaw

Motion for permission to adopt third reading of Bylaw 794 Bylaw Consolidation Bylaw

Motion to adopt third reading of Bylaw 794 Bylaw Consolidation Bylaw

As part of the Municipal Accountability Program it was defined that a bylaw needed to be drafted to allow for the consolidation of other bylaws.

VILLAGE OF CARMANGAY

BYLAW NO. 794

**A BYLAW TO AUTHORIZE THE CONSOLIDATION OF OTHER VILLAGE OF
CARMANGAY BYLAWS**

Whereas, the Municipality of the Village of Carmangay may have cause to consolidate more than one bylaw into a single new bylaw;

NOW THEREFORE under the authority of the Municipal Government Act, the Council of the Municipality of the Village of Carmangay, in the Province of Alberta, enacts as follows:

1. That Council may by motion consolidate any number of bylaws into a single bylaw.
2. That this bylaw shall take effect on the date of the third and final reading.

Read a first time on this 16th day of June, 2020.

Read a second time on this 16th day of June, 2020.

Read a third time and passed on this 16th day of June, 2020.

Municipality of the Village of Carmangay

Mayor Stacey Hovde

Chief Administrative Officer

d) Council Code of Conduct Bylaw

Suggested Motions:

Motion to adopt first reading of Bylaw 795 Council Code of Conduct

Motion to adopt second reading of Bylaw 795 Council Code of Conduct

Motion for permission to adopt third reading of Bylaw 795 Council Code of Conduct

Motion to adopt third reading of Bylaw 795 Council Code of Conduct

Motion to rescind the Council Code of Conduct Policy

As part of the Municipal Accountability Program it was determined that the Council Code of Conduct needed to be in the form of a bylaw and not a policy.

VILLAGE OF CARMANGAY

BYLAW NO. 795

A BYLAW TO AUTHORIZE THE CONDUCT OF THE VILLAGE OF CARMANGAY COUNCIL

Whereas, the Municipality of the Village of Carmangay seeks to govern the conduct of its Council Members;

NOW THEREFORE under the authority of the Municipal Government Act, the Council of the Municipality of the Village of Carmangay, in the Province of Alberta, enacts as follows:

COUNCIL CODE OF CONDUCT

Policy Statement

This Code of Conduct is a public declaration of the principles of good conduct and ethics that members of the Council of The Village of Carmangay have decided its stakeholders could reasonably expect from the Members of Council to demonstrate in the performance and responsibilities as elected officials.

Attaining an elected position within the community is a privilege which carries significant responsibilities and obligations. Members of Council are held to a high standard as leader's municipal governance, administration, planning and operations.

Purpose

The Code of Conduct for Members of Council and related Village Policies identifies the Village's expectations of Council Members and establishes guidelines for appropriate conduct to ensure that

- The decision making process Village Council is transparent, accessible and equitable.
- Decisions are made through appropriate channels of government structure.
- Public office is not to be used for personal gain.

- The conduct Members of Council is of the highest standard.
- There is fairness and respect for the differences and a duty to work together for good will and common good.

Principles of the Code of Conduct

Although areas of ethical are generally consistent and understood in municipal governance, the following areas and guidelines have been specifically identified as being paramount to the municipal political process:

1. Roles and Obligations
2. Confidentiality
3. Communications and Media Relations
4. Relations with Staff
5. Gifts, Hospitality and Benefits
6. Conflict of Interest – Pecuniary Interest
7. Use of Property
8. Transparency and Openness in Decision Making
9. Professional Development
10. Conduct of Meetings
11. Harassment
12. Compliance with the Code – Complaint Protocol
13. Implementation

Roles and Obligations

- 1) As Chief Elected Official, Mayor is first among equals but one person, one vote.**
- 2) Mayor’s authority to speak for or represent Council is derived from Council itself.**
- 3) Council acts as whole to set policy.**
- 4) Will of the majority of members is the will of Council.**

Council Members recognize their mandate incorporates tasks to:

- Fairly represent the diversity of community views in developing an overall strategy for the future of the Village.

- Set objectives and determine strategies to achieve the goals of the Village of Carmangay Integrated Community Sustainability Plan.
- Achieve sound financial management, planning and accountability.
- Be aware of and understand statutory obligations imposed on Council as a whole, as well as each individual Member of Council.

Confidentiality

In their decision making process, Members of Council will have access to information that may be confidential or controversial such as, but not limited to "Closed Session" meetings.

Confidential Information means any information that is of a personal nature to Village employees or clients or information that is not available to the public and that, if disclosed, could result in loss or damage to the Village or could give the person to whom it is disclosed an advantage. Confidential information includes, but is not limited to the following information:

- Disclosed or discussed at a Closed Session meeting of Council.
- That is circulated to Member of Council and marked 'Confidential'.
- That is given verbally in confidence in preparation of or following a meeting that is closed to the public and includes, but is not limited to the following types of information:
 - Personal matters about an identifiable individual(s);
 - Information about suppliers provided for evaluation which might be useful to other suppliers;
 - Matters relating to legal affairs of the Village;
 - Sources of complaints where the identity of the complainant is given in confidence;
 - Items under negotiations; ○ Schedules of prices in contract tenders; ○ Personal information as defined in the *Freedom of Information and Protection of Privacy Act*.

Members of Council should not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office except when required by law to do so.

All information, documentation or deliberations received, reviewed or taken in Closed Session of Council and its committees is confidential until the matter ceases to be confidential, as determined by Council.

Members shall not permit any person other than those who are entitled thereto to have access to information that is confidential.

Confidential information that is provided to Members of Council does not belong to them; it is the property of the Village.

The obligation to keep information confidential is a continuing obligation even if the Member ceases to be a Member of Council.

Members have the same access rights to municipal information as any other resident of the Village, unless the information related specifically to a matter before Council. Requests for information should be referred to the appropriate staff to be addressed either as an informal request for access to municipal records, or as a formal request under the *Freedom of Information and Protection of Privacy Act*.

Communications and Media Relations

Members of Council will accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with the majority decision of Council.

Members shall show respect for the decision making process of Council.

Information concerning adopted policies, procedures and decisions of the Council shall be conveyed openly and accurately.

Confidential information will be communicated only when and after determined by Council.

Relations With Staff

Members of Council shall acknowledge and respect the fact that staff work for the Village as a corporate body and are responsible for making recommendations that reflect their professional expertise and corporate objectives, without due influence from any individual member.

In addition, Members shall acknowledge and respect the fact that staff carry out directions of Council as a whole and administer the policies of the Village. A Member of Council shall refrain from using their position to improperly influence members of staff in their duties or functions of to gain an advantage for themselves or others.

Members of Council shall refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility.

Gifts, Hospitality, and Benefits

Members may only receive gifts, hospitality or entertainment that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office. Any gifts, benefits, or hospitality that exceeds these guidelines shall be returned with an explanation of this Code of Conduct. Gifts, souvenirs or mementoes with a value greater than a nominal value, if accepted shall be the property of the Village.

Members may accept hospitality or entertainment if the offer is infrequent and appropriate to the occasion.

Nothing in this section prevents the receipt of personal gifts, benefits, rewards, commissions or compensation from any person or organization not connected directly or indirectly with the performance or duties of office. (i.e. full time employment with another organization)

Members may also accept the following:

- Political contributions that are otherwise offered accepted and reported in accordance with applicable law.
- Food and beverages at banquets, receptions, ceremonies or similar events.
- Services provided by a person volunteering their time.
- Food, lodging transportation and entertainment provided by other levels of government or boards or commissions.
- A reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations or agencies.

Conflict of Interest – Pecuniary Interest

Members of Council will recognize their obligations to follow and respect the provisions of the *Municipal Government Act* (Section 170)

Use of Village Property

Members may only use Village property or services for activities connected with the discharge of official duties or associated community activities having the sanction of Council or permitted by Village policies.

Transparency and Openness in Decision Making

Members of Council will endeavor to conduct and convey Council business in an open and public manner, other than those issues that may be discussed in Closed Session permitted by the *Municipal Government Act*, so that stakeholders can

understand the process, logic and rationale which was used to reach conclusions or decisions.

Professional Development

Members have the opportunity to promote, support, pursue and partake in opportunities for professional development, including but not limited to Federal, Provincial and Municipal conferences, seminars and workshops. Council Members are encouraged to stay updated on issues and trends so that they can be as efficient and effective as possible in carrying out their duties and responsibilities.

Conduct at Meetings

During Council, General Committee or any other advisory committee meetings, or working group meetings, Members shall conduct themselves with decorum. Respect for delegations and for fellow Council Members and staff requires that all Members show courtesy and not distract from the business of Council during presentations and when other members have the floor.

Harassment

Harassment of another Council Member, staff or any member of the public is prohibited under the *Alberta Human Rights Act*. It is the policy of the Village that all persons be treated with dignity and respect in the workplace in an environment free of discrimination and of personal and/ or sexual harassment.

Harassment; whether it occurs inside or outside the workplace but is related to the work environment or activities of elected office, is considered to be harassment and is inappropriate behavior for the purpose of this Code of Conduct.

Harassment includes, but is not limited to any behavior, conduct or comment by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age,

handicap, sexual orientation, marital status, or family status and any other grounds under the provisions of the *Alberta Human Rights Act*.

Any complaints of harassment will be investigated by the Village and in the event that a resolution of the complaint is not achieved, any Member may request the complaint be dealt with in accordance with Section 12 of this Code.

Compliance with the Code – Complaint Protocol

Where an alleged contravention of any provision of this Code of Conduct occurs, the following procedures will be adhered to:

Part A: Informal Complaint Procedure

Individuals (i.e. Village employees, members of the public or Members of Council) or organizations who have identified or witnessed behavior or an activity by a Member of Council that they believe is in contravention of the Code of Conduct for Members of Council, may wish to address the prohibited behavior or activity themselves as follows:

- a) Advise the Member of Council that the behavior or activity contravenes the Code of Conduct;
- b) Encourage the Member of Council to stop the prohibited behavior or activity;
- c) Keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- d) Advise someone else (i.e. another Member of Council or a senior staff member of the Village) about their concern, their comments to the Member of Council and the response of the Member of Council;

- e) If applicable, confirm to the Member of Council their satisfaction with the response of the Member of Council; or, if applicable, advise the Member of Council of their dissatisfaction with the response; and,
- f) Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with an applicable judicial or quasijudicial process.

Individuals and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behavior or activity that is prohibited by the Code of Conduct. However, it is not a precondition or a prerequisite that they pursue the informal complaint procedure prior to pursuing the formal complaint procedure in Part B.

Part B: Formal Complaint Procedure – Investigating Councilor

- a) Complaint and Review Request
 - 1. A Member of Council, Village staff or member of the public who has reasonable and probable grounds to believe that a Member of Council has contravened the Code of Conduct for Members of Council, may request that the matter, or complaint be reviewed.
 - 2. The complaint shall be in writing and shall be signed by the complainant(s).
 - 3. A complaint shall set out the grounds for the belief and the contravention alleged and include a supporting affidavit that sets out the evidence in support of the complaint.

For example, facts should include the name of the alleged violator, the provision allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information respecting the complainant during normal business hours.

- b) Initial Classification by Village Administrator
 - 1. The complaint shall be filed with the Village Administrator who shall determine if the matter is, on its face, a complaint with respect to non-compliance with

the Code of Conduct and not covered by other legislation or other Council policies as described in subsection 3.

2. If the complaint does not include a supporting affidavit, the Administrator may defer the classification until an affidavit is received.
 3. If the complaint, including any supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Council policy, the Administrator shall advise the complainant in writing as follows:
 - i) If the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue it with the RCMP;
 - ii) If the complaint on its face is with respect to non-compliance with the *Municipal Government Act*, the complainant shall be advised to review the matter with the complainant's own legal counsel;
 - iii) If the complaint on its face is with respect to non-compliance with the *Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter will be referred to the Privacy Commissioner for review;
 - iv) If the complaint on its face is with respect to non-compliance of a more specific Council policy with a separate complaint procedure, the complainant shall be advised that the matter will be processed under the procedure; and,
 - v) In other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Village Administrator to process, with any additional reasons or referrals as the Administrator considers appropriate.
- c) Investigating Councilor Investigation
1. If a complaint has been classified as being within the jurisdiction of this Code of Conduct, the Administrator shall bring the complaint forward to Council, at

which time one (1) unrelated Member of Council shall be appointed by Council to investigate and attempt to settle the complaint.

2. The investigating Councilor will proceed as follows:
 - i) Instruct administration to serve the complaint and supporting material upon the Member whose conduct is in question with a request that a written response to the allegation be filed within ten days; and,
 - ii) Instruct administration to serve a copy of the response provided upon the complaint with a request for a written reply within ten days of receiving the reply from the Member.
 3. If necessary, after reviewing the written materials, the Investigating Councilor may speak to anyone relevant to the complaint, examine any other documents relevant to the complaint and may enter any Village office relevant to the complaint for the purposes of investigation and settlement.
 4. The Investigating Councilor may make interim reports to Council as required to address any instances of interference, obstruction or retaliation encountered during the investigation.
 5. The Investigating Councilor shall submit a final report on the complaint to Council, no later than 90 days after the making of the complaint, outlining the findings, the terms of any settlement, or recommended corrective action.
 6. Any recommended corrective action must be permitted in law and shall be designed to ensure that the in appropriate behavior or activity does not continue.
- d) Refusal to conduct inquiry
1. In the Investigating Councilor is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an inquiry, the Investigating Councilor shall not conduct an inquiry and shall state the reasons for not doing so in the report.

2. If the Investigating Councilor determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Investigating Councilor shall so state in the report and shall recommend that no penalty be imposed.
- e) Copy of the Report
1. The Investigating Officer shall file a copy of the final report with the Village Administrator who will then provide a copy of the report to the complainant and the Member of Council whose conduct is concerned.
- f) Report to Council
1. The Village Administrator shall process the report to the next meeting of Council.
- g) Duty of Council
1. Council shall consider and respond to the report within 90 days after the day the report is laid before it.

Implementation

Upon adoption of this Code of Conduct and thereafter at the beginning of each term, Council Members will be executed to sign two (2) copies of the Code of Conduct (one for the Member and one for filing in the administration office) to convey to each other and all stakeholders that they have read, understood and accept it.

A copy of the code of Conduct will be included as part of the orientation workshop for all Council Members. Members are expected to formally and informally review their adherence to the provisions of this code on a regular basis or when so requested by Council.

1. That Council may by motion consolidate any number of bylaws into a single bylaw.
2. That this bylaw shall take effect on the date of the third and final reading.

Read a first time on this 16th day of June, 2020.

Read a second time on this 16th day of June, 2020.

Read a third time and passed on this 16th day of June, 2020.

Municipality of the Village of Carmangay

Mayor Stacey Hovde

Chief Administrative Officer

e) COVID 19 Update

The province of Alberta is standing down its state of emergency effective the 15th of June, 2020 and is using a phased approach to start up the economy. As at this Council meeting, the province is in Phase 2.

It is important to note that the Village is responsible for buildings, employees and services to residents that it has control over. The Village has no governance or responsibility for the safety and health of organizations and facilities not owned or operated by the Village.

Our employees though have done a remarkable job in adhering and support safe and healthy practices and have been able to continue to do work in Public Works, Projects, re-opening of the Village office and ATB Branch.

Administration will work with the Lions Club to provide a lease agreement for the Lions to operate and open the campground.

Administration is supportive of the Carmangay Library opening but will not intervene in the process to re-open the library. This is governed by the library board, Chinook Arch and staff.

The province in the last few days provided a number of updated policies and new policies that govern everything from opening a library to holding public events. It has been time consuming to ensure that the safety of the citizens of Carmangay is protected as well as adherence to provincially mandated processes.

f) Job Postings Update

Suggested Motion: Motion to direct the CAO to bring a plan for Council's consideration to create opportunities for Carmangay young adults to have their first job.

Administration posted jobs for students in 2018 and received only 1 application from a Carmangay resident who was hired.

Recently, a job posting was put up only in Carmangay and only 1 adult applied for the role and was subsequently hired.

Administration has always been supportive of hiring locally especially for young people.

There may be opportunities to provide students with work for at least 100 hours at a minimum wage of \$15 per hour during different times of the year and for various projects. This would provide a person that has never had a job, important experience to begin a resume.