

**SUMMER VILLAGE OF WEST COVE
COUNCIL ORGANIZATIONAL MEETING
WEDNESDAY, JULY 31st, 2024 AT 6:30 PM
Location: Summer Village of West Cove Community Hall & Via Zoom**

A G E N D A

1. **Call to Order (by Chief Administrative Officer (CAO))**
2. **Adoption of Agenda**
3. **Mayor – Nomination & Appointment & Official Oath of Office**
4. **Deputy Mayor - Nomination & Appointment & Official Oath of Office**
5. **Confirmation of Council Meeting Dates & Time** (last Wednesday of the months of January, February, March, April, June, July, August, September and November at 6:30 p.m. at the West Cove Community Hall)
6. **Confirmation of Bank Signing Authority** (two signatures required, one elected and one administration to always sign, any Council member and CAO or Administrative Assistant)
7. **Confirmation of Banking Authority** (ATB Financial)
8. **Confirmation of CAO Appointment** (Wildwillow Enterprises Inc. – Wendy Wildman)
9. **Confirmation of Auditor Appointment** (Seniuk & Company)
10. **Confirmation of Solicitor Appointment** (Patriot Law Group)
11. **Confirmation of Subdivision & Development Appeal Board** (as per agreement with Milestone Municipal Services and applicable Summer Village Bylaws 453-19 & 458-19)
12. **Confirmation of Assessment Review Board** (as per agreement with Capital Region Assessment Services Commission 2022 – 2024 and applicable Summer Village Bylaws 477-2022)
13. **Confirmation of Municipal Planning Commission** (all Council)
14. **Confirmation of FOIP Coordinator** (Chief Administrative Officer, Wendy Wildman)
15. **Confirmation of Bylaw/Community Peace Officer** – Gervais Kasamba, Bylaw/CPO Town of Mayerthorpe
16. **Integrity Commissioner** – (confirmed as Victoria Message)
17. **Confirmation of Designated Officers:**
Assessor Appointment (Dan Kanuka, Municipal Assessment Services Group) – Bylaw 426-16
Development Authority (Tony Sonnleitner, Development Officer) – Bylaw 424-16

Confirmation of Planning & Subdivision Authority (Municipal Planning Services Ltd.)
– Bylaw 434-16
Assessment Review Board Clerk (Gerryl Amorin, Capital Region Assessment Services Board) – Bylaw 477-2022
Subdivision & Development Appeal Board Clerks (Emily House & Cathy McCartney)
– Bylaw 458-2019

18. Confirmation of Committee Appointments:

- a) Highway 43 East Waste Commission (was: Woronuk, alternate Kelly)
- b) West Inter Lake District Regional Water Services Commission (was: Woronuk, alternate: Giesbrecht)
- c) Lac Ste. Anne Emergency Management Agency - Regional Emergency Services Agency (was: Giesbrecht, alternate: Woronuk)
- d) Summer Villages of Lac Ste. Anne County East (was: Giesbrecht with All of Council to Attend)
- e) Onoway Regional Medical Clinic (was Kelly, alternate: Giesbrecht)
- f) Regional Sewer Force Main Committee (was Kelly, alternate: Woronuk)
- g) Flowering Rush Abatement Committee (was Giesbrecht, alternate: Woronuk)
- h) Regional Trail System Committee (was Woronuk)
- i)

19. Municipal Office Location (2317 – Twp Rd 545, Lac Ste. Anne County)

20. Policy #C-COU-REM-1 Council, Administration, Staff and Contractor Expense Reimbursement Policy – (attached pages 1-2) (confirm as is, or approve with changes)

(that Council accept Policy C-COU-REM-A) Council Remuneration and Expense Reimbursement as is)

(that Council review Policy C-COU-REM-1, Council Remuneration and Expense Reimbursement and that changes be made as discussed and an amended Policy be brought back to a future meeting for approval)

(some other direction as given by Council at meeting time)

21. Code of Conduct for Members of Council – (Bylaw 447-2018 attached pages 3-16)
MGA 2000, Chapter M-26, Part 5, Section 146.1 outlines the requirements of what is to be included in the Code of Conduct Bylaw. It is an administrative practice that this Bylaw be reviewed annually by Council. **Administration recently has been in contact with Municipal Affairs regarding our Code of Conduct Bylaw resulting from municipal MAP reviews and were advised that our current Bylaw includes sanctions not authorized under the Code of Conduct regulation. The bylaw also excludes a member against whom an allegation is made from attending the closed session where the report is discussed. This is contrary to Section 153 of the MGA which requires councillors to participate in Council meetings. Therefore, our Code of Conduct Bylaw requires amendment. Administration suggest that the second recommended motion be made to initiate this amendment.**

(that Council approve Bylaw 447-2018, Code of Conduct for Members of Council as is)

(that Council review Bylaw 447-2018, Code of Conduct for Members of Council and that changes be made as discussed and a new Bylaw be brought back to Council at a future meeting)

(some other direction as given by Council at meeting time)

22. **Public Participation Policy & Plan (Policy C-COU-PAR-1 and Plan) attached pages 17-27)** MGA 2000, Chapter M-26, Part 7, Section 216.1 outlines the requirements a Public Participation Policy & Plan. It is an administrative practice that this Policy & Plan be reviewed annually by Council.

(that Council approve Policy C-COU-PAR-1, Public Participation Policy & Plan as is)

(that Council review Policy C-COU-PAR-1, Public Participation Policy & Plan and that changes be made as discussed and an amended Policy & Plan be brought back to a future meeting)

(some other direction as given by Council at meeting time)

23. **Council's Legislative Responsibilities** – previously distributed to Council in 2021 after the municipal election: Roles and Responsibilities of Municipal Officials, Pecuniary Interest for Municipal Councillors, What Every Councillor Needs to Know, A Council Member Handbook, Municipal Government Act, and the Council & Committee Procedural Bylaw and the Code of Conduct for Members of Council Bylaw

Motion: *that pursuant to Section 208(1)(d) of the Municipal Government Act outlining Council's legislative responsibilities be acknowledged as received.*

24. **Adjournment**



Summer Village of West Cove

Council Policy

Number	Title		
C-COU-REM-1	Council Remuneration and Expense Reimbursement		
Approval	Approved		
(CAO initials)	Resolution No:	24-257	
	Date:	Mar. 27/24	

Policy Statement:

The Summer Village of West Cove would like to provide Council members with a written statement explaining how Council members, Administrators, Staff and Contractors are reimbursed for per diem meeting expenses, auto expenses and out of pocket expenses.

Reason for Policy:

- The Summer Village of West Cove has a number of Committees, Boards, Authorities, Commissions, Agencies, and Associations on which Council members sit. The appointments are set by council. The meeting rates also apply to these as well as Council meetings.
- Where a Board or Commission reimburses its members, the Summer Village of West Cove will not reimburse the Councillor.
- Councillors, Administrators, Staff and Contractors also may have occasion to spend money on behalf of the village and require reimbursement for those approved expenses.

Definitions:

- **Meetings:** All meetings Council Members attend representing the Summer Village in an official capacity including Council Meetings and Boards, Authorities, Commissions, Agencies, and Associations on which they are appointed and any other meetings or events which are approved by Council. Only Council Members may claim for meetings. Claim amount is per Schedule "A" attached to this policy.
- **Claim for Kilometers:** Any claim for Kilometers must include the location from and the destination, the total number of kilometers, and the reason for the trip. Claim amount is per Schedule "A" attached to this policy.
- **Claim for Expenses:** All claims for expenses must include receipts and indicate specifically what the expense is for. If the expense is for meals the receipt must indicate who was there and the reason for the expense. Claim amount is per Schedule "A" attached to this policy.





Summer Village of West Cove Council Policy

Schedule "A"

Honorariums

- All meetings or activities related to Summer Village Business up to 8 hours. \$150.00
- Webinars, Virtual Meetings and Conference Calls \$ 50.00/hour
(maximum charge per Webinar/Virtual meetings, conference calls \$150.00)
- Daily meeting rate. \$150.00
- Automobile rates. .70/km
*to be set at the CRA rate annually at the organizational meeting

In the event of consecutive meetings payment will revert to the hours.

Incidental Expenses (ie: accommodations/meals/parking etc.)

- Incidental Expenses. Reimbursed at Actual Cost

**A BYLAW OF THE SUMMER VILLAGE OF WEST COVE, IN THE
PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR
MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER
BODIES ESTABLISHED BY THE COUNCIL**

WHEREAS Municipal Councils must, by bylaw, establish a code of conduct governing the conduct of Councillors, pursuant to the *Municipal Government Act, RSA 2000 Chapter M-26* as amended from time to time; and

WHEREAS Municipal Council may establish a code of conduct governing the conduct of members of council committees and other bodies established by the council pursuant to the *Municipal Government Act, R.S.A. 2000 Chapter M-26* as amended from time to time; and

WHEREAS the elected officials of the Summer Village of West Cove recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of Council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them; and

WHEREAS, the Council for the Summer Village of West Cove wishes to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council;

NOW THEREFORE the Council of the Summer Village of West Cove, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. SHORT TITLE

1.1. This Bylaw may be cited as the "Code of Conduct Bylaw".

2. DEFINITIONS

2.1. "Act" means the *Municipal Government Act, R.S.A. 2000 Chapter M-26*, as amended from time to time.

2.2. "Bylaw" means a bylaw of the Summer Village of West Cove.

2.3. "Chief Administrative Office," or "CAO" means the person appointed to the position of Chief Administrative Officer by Council.

- 2.4. *"Code of Conduct"* means the Summer Village of West Cove Code of Conduct for Members of Council, Council Committees and Other Bodies Established by Council.
- 2.5. *"Committee"* means a board, commission, authority, task force or any other public body established by Council.
- 2.6. *"Confidential Information "* means any information that is prohibited from being disclosed under Alberta's Freedom of Information and Protection of Privacy Act (FOIPP) and also includes any information received by a Member in confidence by virtue of their position on Council, a Council Committee or other body established by the Council, as well as matters discussed in meetings that have been closed to the public, unless those matters have subsequently been made public by Council.
- 2.7. *"Council"* means the Council of the Summer Village of West Cove.
- 2.8. *"Integrity Commissioner"* or *"Commissioner"* means the individual appointed by Council to receive, assess, investigate and adjudicate complaints regarding breach of the Code of Conduct.
- 2.9. *"Member"* is intended to include both Members of Council and Members of Council Committees or other bodies established by the Council.
- 2.10. *"Member of Council"* means a duly elected Member of Council and includes the Mayor and Deputy Mayor.
- 2.11. *"Member of Council Committee or other body established by the Council"* means member of a committee, board, authority, task force or other body duly appointed by Council.
- 2.12. *"Summer Village"* means the Corporation or the Summer Village of West Cove.
3. **CODE OF CONDUCT**
- 3.1. That the *Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council* is attached hereto as "Schedule A" and forms part of this bylaw.
4. **PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS**
- 4.1. That the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct*, is attached hereto as "Schedule B" and forms part of this bylaw.

5. AMENDMENTS

- 5.1. That amendments or additions to the *Code of Conduct for members of Council, Council Committees and Other Bodies Established by the Council (Schedule A)* or the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct (Schedule B)* will require an amendment to this Bylaw.

6. INTERPRETATION

- 6.1. Terms which are not defined in the Code of Conduct Bylaw will be given their ordinary meaning.
- 6.2. Within the text of the Code of Conduct Bylaw:
- a) use of a pronoun or determiner which indicates one gender shall include all genders unless the context requires otherwise, and
 - b) use of the singular shall include the plural and the plural shall include the singular as the context requires.

7. SEVERABILITY

- 7.1. It is the intention of the Council of the Summer Village of West Cove that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.

8. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 28th day of June 2018.

READ a second time this 28th day of June 2018.

UNANIMOUS CONSENT to proceed to third reading this 28th day of June 2018.

READ a third and final time this 28th day of June 2018.

SIGNED this 28th day of June 2018

Mayor, Larry St. Amand

Chief Administrative Officer, Wendy Wildman

SCHEDULE A

**THE SUMMER VILLAGE OF WEST COVE
CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL
COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL**

1. PURPOSE AND PRINCIPLES

- 1.1.** The purpose and intent of this Code of Conduct is to establish standards of conduct for Members of Council, Council Committees and other bodies established by the Council so that they may carry out their entrusted duties with diligence and impartiality while maintaining the highest standard of integrity.
- 1.2.** The Code is intended to supplement existing superior legislation and municipal by-laws and policies that govern the conduct of Members of Council, Council Committees and other bodies established by the Council.
- 1.3.** The key principles underlying this Code of Conduct are as follows:
- a)** The public should have confidence that the elected and appointed officials of the Summer Village of West Cove operate from a basis of integrity, justice, courtesy and propriety and will carry out their duties in a fair, impartial and transparent manner;
 - b)** Holding public office is a privilege and responsibility and Members shall put the interests of the residents and rate payers of the municipality as a whole above personal interests;
 - c)** Members should demonstrate respect for the law and for the policies, procedures and processes of the Summer Village of West Cove;
 - d)** Members have a duty to treat members of the public, representatives from other agencies or municipalities, each other and staff with respect and dignity and without abuse, bullying or intimidation;
 - e)** Members of Council, Council Committees and other bodies established by the Council must exercise due care in the treatment of any Confidential Information obtained through their elected or appointed positions.

2. COMPLIANCE WITH CODE OF CONDUCT

- 2.1.** This Code of Conduct applies to all Members of Council and Members of Council Committees and other bodies established by the Council and all Members must observe and comply with all provisions of the Code of Conduct as well as other policies and procedures established by Council which affect the Member.
- 2.2.** Members of Council shall sign and agree to comply with the Code of

Conduct at or prior to the first meeting of Council after their election to office.

- 2.3.** Members of Council Committees or other bodies established by the Council of the Summer Village of who are not Members of the Summer Village of West Cove Council or the Council of another municipality, shall sign and agree to comply with the Summer Village of West Cove Code of Conduct on or before attending their first committee meeting. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 2.4.** Members of Council of the Summer Village of West Cove, who are Members of another municipalities Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Summer Village of West Cove Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council.
- 2.5.** Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 2.6.** All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 2.7.** No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.

3. GENERAL PERSONAL CONDUCT

- 3.1.** Members shall strive for excellence in the performance of their duties of Council, Council Committees or other bodies established by the Council.
- 3.2.** As representatives of the Summer Village of West Cove, Members will, at all times, conduct themselves in all their affairs with integrity so as to reflect positively on the municipality and promote public confidence.
- 3.3.** Members of Council shall carry out their duties with impartiality, putting the interests of the residents and rate payers of the whole municipality above personal interests.
- 3.4.** Members will take particular care to ensure that during meetings of Council, Council Committees or other bodies established by the Council, they do not

make comments that could be offensive to other Members, staff or the public or that could be construed as sexist, racist or otherwise discriminatory.

- 3.5.** Members will conduct municipal business and their duties in an open and transparent manner so that the public can understand the process and rationale that has been used to make decisions.
- 3.6.** Members of Council shall show respect for other Members of Council, for decisions and the decision-making process of Council and for Council procedures as outlined in the Summer Village of West Cove Procedural Bylaw. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 3.7.** Members of Council of the Summer Village of West Cove, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Summer Village of West Cove Code of Conduct for Members of Council, Council Committees and Other Bodies established by the Council.
- 3.8.** Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 3.9.** All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 3.10.** No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.

4. GENERAL PERSONAL CONDUCT

- 4.1.** Members shall strive for excellence in the performance of their duties of Council, Council Committees or other bodies established by the Council.
- 4.2.** As representatives of the Summer Village of West Cove, Members will, at all times, conduct themselves in all their affairs with integrity so as to reflect positively on the municipality and promote public confidence.
- 4.3.** Members of Council shall carry out their duties with impartiality, putting the interests of the residents and rate payers of the whole municipality above personal interests.

- 4.4. Members will take particular care to ensure that during meetings of Council, Council Committees or other bodies established by the Council, they do not make comments that could be offensive to other Members, staff or the public or that could be construed as sexist, racist or otherwise discriminatory.
- 4.5. Members will conduct municipal business and their duties in an open and transparent manner so that the public can understand the process and rationale that has been used to make decisions.
- 4.6. Members of Council shall show respect for other Members of Council, for decisions and the decision-making process of Council and for Council procedures as outlined in the Summer Village of West Cove Procedural Bylaw.
- 4.7. The venue for discussions on matters before Council, a Council Committee or other body established by the Council is within their respective meetings. Members shall not engage in debate with each other via public mediums such as letters to the editor, bios or social media.
- 4.8. Members are expected to use good judgement as to what is appropriate use of electronic social media and must not communicate anything that could harm the reputation of the Summer Village of West Cove. Providing personal comments on matters before the Town Council, Council Committees or other bodies established by the Council on social media is inappropriate.
- 4.9. If a difference or conflict between Members is not easily resolved, processes outlined in the Procedure Bylaw and best practices in conflict resolution shall be employed in order to resolve the issue and maintain working relationships among Members.

5. OBLIGATIONS OF MEMBERS

- 5.1. Members must conduct themselves in accordance with the requirements and obligations set out in municipal, provincial and federal legislation or regulations, including but not limited to the following:
 - a) Alberta Human Rights Act;
 - b) Alberta Local Authorities Election Act;
 - c) Canadian Human Rights Act;
 - d) Criminal Code of Canada;
 - e) Freedom of Information and Protection of Privacy Act;
 - f) The Summer Village of West Cove Procedural Bylaw;
 - g) Municipal Government Act;
 - h) Occupational Health and Safety Act, Regulation and Code,

including the Summer Village of West Cove Health and Safety Program.

- 5.2. As outlined in the Municipal Government Act, Members of Council have a duty to participate in council meetings, council committee meetings and meetings of other bodies to which they are appointed by Council
- 5.3. All Members are expected to be suitably prepared for meetings of Council or any Committee or other body established by the Council on which they serve.
- 5.4. All Members must attend orientation or training sessions as offered by the municipality.

6. AVOIDANCE OF CONFLICTS OF INTEREST

- 6.1. Members of Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Council.
- 6.2. Members of a Council Committee or other body established by the Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Committee or other body on which they serve.
- 6.3. Members shall remove themselves from the proceedings regarding any matter in which they have a pecuniary interest.
- 6.4. Members shall not influence or attempt to influence a decision in a matter that they have a pecuniary or personal interest which comes before Council, a Council Committee or other body established by the Council on which they serve.
- 6.5. Members shall not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council.
- 6.6. Members shall not allow their personal interests or connection to volunteer organizations to influence their impartiality with respect to the duties they carry out as Members of Council, a Council Committee or other body established by the Council.
- 6.7. Members shall not engage in any activity that is incompatible with the ethical performance of their official duties in the public interest, as members of Council, as Council Committee or other body established

by the Council.

7. USE OF MUNICIPAL ASSETS AND SERVICES

- 7.1.** Members shall use municipal assets and services for activities relevant to their role as Members of Council, a Council Committee or other body established by the Council, and in accordance with any applicable municipal policy or procedure.
- 7.2.** Members shall use municipal computers, smart phones or other related technology devices or systems, including email and internet, in accordance with the municipality's policies and procedures
- 7.3.** Members of Council shall not use the property, land, facilities, equipment, supplies, services or other resources of the municipality for any election campaign or campaign-related activities, unless otherwise authorized by policy or bylaw.
- 7.4.** No Member of Council shall use the services of persons for election-related purposes during hours in which those persons are receiving compensation from the municipality.
- 7.5.** No Member shall obtain personal or financial gain or advantage through the use of municipal assets or services or from municipally developed intellectual property.

8. USE OF INFLUENCE OF OFFICE

- 8.1.** No Member shall use the influence of his or her position on Council, a Council Committee or other body established by the Council for any purpose other than for the exercise of his or her official duties.
- 8.2.** Members shall not use their position to obtain employment or contracts with the municipality for themselves, family members or close associates.

9. ACCEPTANCE OF GIFTS OR BENEFITS

- 9.1.** Acceptance of gifts or benefits by a Members shall be in accordance with federal and provincial legislation and must be accepted or reported in accordance with any Summer Village policy or procedure.
- 9.2.** Members shall ensure that they do not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council through the acceptance of gifts or



benefits.

10. INTERACTIONS WITH MUNICIPAL STAFF

- 10.1.** Council's sole employee is the Chief Administrative Officer (CAO); Members of Council will respect the CAO's authority to direct staff.
- 10.2.** Members will treat municipal staff with dignity, understanding and respect and will adhere to any of the Summer Village of West Cove policies, procedures or directives in order to ensure that the municipal work environment is free from discrimination, bullying and harassment.
- 10.3.** No Member shall use, or attempt to use, their authority for the purpose of influencing any staff member with the intent of interfering in staff's duties.
- 10.4.** No Member shall maliciously or falsely impugn or injure the professional or ethical reputation of staff and all Members shall show respect for the professional capacities of the staff of the municipality.
- 10.5.** No Members shall compel staff to engage in partisan political activities or subject staff to threat or discrimination for refusing to participate in such activities.

11. INTERACTIONS WITH OTHER AGENCIES OR MUNICIPALITIES AND THE PUBLIC

- 11.1.** In the performance of their duties, Members will treat representatives of other agencies or municipalities and members of the public with dignity, understanding and respect and will adhere to any and or all of the Summer Village of West Cove policies, procedures or directives put in place to ensure that workplace environments are free from discrimination, bullying and harassment.

12. CONFIDENTIAL INFORMATION

- 12.1.** Personal information collected by the Summer Village of West Cove will only be used for the purpose for which it was collected, and only disclosed if such disclosure complies with Alberta's Freedom of Information and Protection of Privacy Act (FOIPP).
- 12.2.** Members are encouraged to acquire an understanding of the principles of FOIPP.
- 12.3.** Members shall not release information subject to solicitor-client privilege without express authorization from Council unless required by law to do

(12)

so.

- 12.4.** Members shall not release or divulge any matters discussed while in a closed meeting including any aspect of the closed meeting deliberations to anyone, unless expressly authorized by Council or required by law to do so.
- 12.5.** Members who speak or write publicly are responsible for ensuring that they do not divulge Confidential Information.
- 12.6.** The responsibility for protecting Confidential Information includes the responsibility for ensuring that documents or digital information are not directly or indirectly made available to unauthorized persons.
- 12.7.** No Member shall use Confidential Information for personal gain or benefit, or for the personal gain or benefit of any other person or body.
- 12.8.** A Member's responsibility for maintaining confidentiality extends beyond the term of office or the period of appointment.

13. IMPLEMENTATION

- 13.1.** The Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council and the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will be adopted by bylaw as required by Section 146.1 of the Municipal Government Act, or as amended from time to time.
- 13.2.** Amendments or additions to the Code of Conduct or the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will require an amendment to the Code of Conduct Bylaw.
- 13.3.** Council will review the Code of Conduct on an annual basis at the Organizational Meeting to ensure it is current and remains relevant to the day-to-day conduct of Members.
- 13.4.** Council will appoint an Integrity Commissioner who will be responsible for accepting, assessing, investigating and adjudicating complaints or requests for investigation regarding breach of the Code of Conduct.
- 13.5.** The process for appointing the Integrity Commissioner will be the same process as for appointments to Council Committees or other bodies established by Council.
- 13.6.** The position of Integrity Commissioner will be a paid contract position, with an appropriate hourly rate of pay or daily per diem, to be established by

Council at the time of appointment. The Commissioner may also be reimbursed for expenses approved by the Mayor, or the Deputy Mayor or any 2 members of Council who are not the subject of any complaint under investigation.

- 13.7.** The term for an Integrity Commissioner will be 4 years; a Commissioner may be re- appointed at the end of their first term but may not serve more than two (2) consecutive terms.
- 13.8.** If at any time it is determined by Council that the Integrity Commissioner has conflict of interest or has acted in an unfair or unethical manner, Council may require the Commissioner to relinquish their position.
- 13.9.** Complaints and requests for investigations into allegations that a Member has breached the Code of Conduct will follow the procedure outlined in the *Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct*, Schedule B of the Code of Conduct Bylaw.

SCHEDULE B

**THE SUMMER VILLAGE OF WEST COVE
PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS
REGARDING BREACH OF THE CODE OF CONDUCT**

Where a member of the public, a Member of Council, a Member of a Council Committee or other body established by the Council, or an employee of the Summer Village of West Cove, has reasonable grounds to believe that a Member has breached this Code, a complaint or request for inquiry may be submitted in confidence to the Integrity Commissioner or to a designated alternate in the absence of the Commissioner.

All complaints or requests for inquiries must be in writing and should include:

- a) the complainant's name and contact information;
- b) the name of the Member(s) to whom the complaint relates;
- c) the nature of the alleged contravention;
- d) the specific provision(s) of the Code allegedly contravened;
- e) names of any witnesses to the alleged contravention;
- f) any other supporting documentation that will assist the Commissioner in evaluating the complaint.

The Commissioner may refuse to undertake an investigation if the complainant fails to provide sufficient documentation to support their complaint.

If after reviewing the complaint, if the Commissioner determines that the complaint is an allegation of a criminal nature consistent with the Criminal Code, the Commissioner will inform the complainant that the allegation must be made through the appropriate police service.

If the complainant is a Member or municipal staff, the Commissioner will review the complaint to determine if it falls under any of the Summer Villages harassment or respectful workplace policies, procedures or directives intended to ensure a working environment free of discrimination, bullying and harassment. If it does, the Commissioner will advise the complainant to contact the appropriate party (CAO, Manager or Supervisor) to initiate the process outlined in the applicable policy, procedure or directive.

Formal investigation of any complaint will be at the discretion of the Commissioner. If the Commissioner finds the allegations to be frivolous or unsubstantiated he or she may decline to conduct an investigation and will inform the complainant of this decision.

If it is found that an investigation is warranted, the Member whose conduct is in question will be provided with a copy of the complaint and supporting documentation

and be given the opportunity to provide a written response to the allegations being made.

Once the investigation is complete, the Commissioner will submit a written report which may include statements from both the complainant and the Member who is the subject of the complaint as well as a recommendation for appropriate sanctions (if any) to the Council of the Summer Village of West Cove. The report will be discussed at a closed meeting session of Council. Neither the Member who is the subject of the complaint, nor the complainant may attend this closed meeting session but they may submit written statements to the Commissioner for consideration and inclusion in the report to Council, if they choose to do so. Council (excluding the Member who is subject of the complaint) will then determine what sanctions (if any) will be imposed. In the event that all of Council are the subjects of the complaint, it will fall to the Commissioner to determine what sanctions (if any) will be imposed.

The Commissioner may recommend that Council impose any of the following sanctions:

- a) Require a written or verbal public apology;
- b) Require additional training on ethical and/or respectful conduct;
- c) Return of property or reimbursement of its value or of monies spent;
- d) Removal from membership of a Committee; Removal as chair of a Committee;
- e) Reporting the misconduct to Alberta Municipal Affairs or another appropriate authority; or
- f) Other consequences as deemed appropriate and necessary but not including disqualification of a Member of Council.

The results of an investigation by the Commissioner and the imposition (or lack of the imposition) of sanctions by Council or the Commissioner have no appeal mechanism and are to be considered final.



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Number	Title		
C-COU-PAR-1	Public Participation Policy		
Approval	Approved		Last Revised
(CAO initials)	Resolution No:	19-15	Resolution No:
	Date:	January 31, 2019	Date:

PURPOSE AND APPLICATION

In accordance with Section 216.1 of the *Municipal Government Act*, this Public Participation Policy has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public.

This Public Participation Policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act*.

GENERAL POLICY PRINCIPLES

Council recognizes that good governance includes engaging Municipal Stakeholders in Public Participation by:

1. Creating opportunities for Municipal Stakeholders who are affected by a decision to influence the decision;
2. Promoting sustainable decisions by recognizing various Municipal Stakeholder interests;
3. Providing Municipal Stakeholders with the appropriate information and tools to engage in meaningful participation; and
4. Recognizing that although Councillors are elected to consider and promote the welfare and interest of the Municipality as a whole and are generally required to vote on matters brought before Council, facilitating Public Participation for matters beyond those where public input is statutorily required can enrich the decision-making process.



Summer Village of West Cove Council Policy

DEFINITIONS

1. **“Chief Administrative Officer”** means the chief administrative officer of the Municipality or their delegate, abbreviated **“CAO”**.
2. **“Council”** means the elected representatives of the Municipality.
3. **“Municipal Stakeholders”** means the residents of the Municipality, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Municipality.
4. **“Municipality”** means the Summer Village of West Cove.
5. **“Public Participation”** includes a variety of non-statutory opportunities where Municipal Stakeholders receive information and/or provide input to the Municipality.
6. **“Public Participation Plan”** means a plan which identifies which Public Participation Tools to be used to obtain public input in a particular circumstance.
7. **“Public Participation Tools”** means the tools that may be used, alone or in combination, to create Public Participation opportunities including, but not limited to:
 - (a) in-person participation which may include at-the-counter interactions, door- knocking, interviews, meetings, round-tables, town halls, open houses and workshops;
 - (b) digital participation which may include online workbooks, chat groups, webinars, message boards/discussion forums, and online polls or surveys;
 - (c) written participation which may include written submissions, email, and mail- in surveys, polls and workbooks; and
 - (d) representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board.

POLICY RESPONSIBILITIES

1. Council Responsibilities

- (a) Council shall:



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- i. review and approve Public Participation Plans as drafted by the CAO at the direction of Council;
- i. consider input obtained through Public Participation; and
- ii. review this Policy to ensure the Policy complies with all relevant legislation, municipal policies and the spirit and intent of Public Participation.
- iii. ensure appropriate resources are available to solicit Public Participation in accordance with this Policy;

2. Administration Responsibilities

(b) CAO shall:

- i. in accordance with this Policy or as directed by Council, develop Public Participation Plans, for Council approval;
- ii. implement approved Public Participation Plans; and
- iii. report the findings of the Public Participation to Council.
- iv. Consider and advise Council regarding timing, resources and engagement and historical effectiveness when developing and modifying Public Participation Plans;
- v. develop the necessary guidelines to implement this Policy;

II. PUBLIC PARTICIPATION OPPORTUNITIES

(c) CAO shall develop and implement, as directed by Council, a Public Participation Plan in the following circumstances:

- i. when new programs or services are being established;
- ii. when existing programs and services are being reviewed;
- iii. when identifying Council priorities;
- iv. when gathering input or formulating recommendations with respect to the



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- Municipality's strategic plans or business plans;
v. as otherwise directed by Council.

POLICY EXPECTATIONS

1. Legislative and Policy Implications

- (a) All Public Participation will be undertaken in accordance with the *Municipal Government Act*, the *Freedom of Information and Protection of Privacy Act* and any other applicable legislation.
- (b) All Public Participation will be undertaken in accordance with all existing municipal policies.
- (c) This Policy shall be available for public inspection and may be posted to the Municipality's website.
- (d) This Policy will be reviewed at least once every four years.

2. Public Participation Standards

- (a) Public Participation will be conducted in a sustainable and inclusive manner having regard to different levels of accessibility.
- (b) Public Participation activities will be conducted in a professional and respectful manner.
- (c) Public Participation plans will consider early, ongoing and diverse opportunities to provide input.
- (d) Municipal Stakeholders who participate in any manner of Public Participation are required to be respectful and constructive in their participation. Municipal Stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public Participation opportunities.
- (e) The results of Public Participation will be made available to Council and Municipal Stakeholders in a timely manner in accordance with municipal policies.

PUBLIC PARTICIPATION PLANS



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- (a) When so directed by this Policy or Council, the CAO shall develop a Public Participation Plan for approval by Council which shall consider the following:
- i. the nature of the matter for which Public Participation is being sought;
 - ii. the impact of the matter on Municipal Stakeholders;
 - iii. the demographics of potential Municipal Stakeholders in respect of which Public Participation Tools to utilize, level of engagement and time for input;
 - iv. the timing of the decision and time required to gather input;
 - v. what information is required, if any, to participate; and
 - vi. available resources and reasonable costs.
- (b) Public Participation Plans will, at minimum, include the following:
- vii. a communication plan to inform the public about the Public Participation plan and opportunities to provide input;
 - viii. identification of which Public Participation Tools will be utilized;
 - ix. timelines for participation;
 - x. information about how input will be used;
 - xi. the location of information required, if any, to inform the specific Public Participation.

REPORTING AND EVALUATION

- (a) Information obtained in Public Participation will be reviewed by the CAO and a report shall be provided to Council.
- (b) The report shall include, at minimum, the following:
- i. an overview of the Public Participation Plan and how it was developed;
 - ii. an assessment of the effectiveness of the plan based on the level of engagement

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- and the quality of input;
 - iii. a summary of the input obtained; and
 - iv. may include recommendations for future Public Participation Plans.
- (c) Reports shall be provided to Council for review.

Legal References: MGA 216.1, 230, 606, 692

Revisions:

Resolution Number	MM/DD/YY

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PUBLIC PARTICIPATION PLANS

Summer Village of West Cove

The purpose of this plan is to outline Council and Administration's plan to engage and encourage public participation with the Summer Village of West Cove.

Approved March 28, 2019

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Introduction

Relationships among people are a critical element of municipal business. This Plan provides some guidance about how the Summer Village can maintain good relationships through appropriate public input regarding decisions made by Council.

It is anticipated that the readers of this document will be:

- a) those in municipal administration who are responsible for integrating public input opportunities into municipal projects and plans,
- b) those on Council who will be making decisions about appropriate public input,
- c) those in municipal administration who will be determining if developers or other proponents have provided for an adequate public input process, and
- d) those who own property within the municipality

Public Input

The Purpose of Public Input

Municipal Councils make decisions in public for the public good. This plan supports the involvement of citizens in these public decisions. The public input is sought after when there is a decision to be made that will impact the residents of the Summer Village. Public input is valuable for decisions that impact residents for three reasons:

1. It helps strengthen the relationship between the council and the citizens of the Summer Village
2. It informs the citizens of the Summer Village, therefore, minimizing complaints and costs caused by last minute changes
3. It leads to better solutions for everyone involved in the Summer Village

Determining When Public Input is Needed

Public input is essential to the municipal decision process. The Municipal Government Act (MGA) has a legal requirement for Council and Council committees to conduct business in public and to ensure the public is notified of certain kind of decisions.

Most of the decisions made by council can be or are enhanced by public input. The few situations where public input is not required are referred to as directive decisions. Directive decisions are those made by a person authorized to do so, and are issued to others simply to inform them the decision has been made. The situations where a directive decision is appropriate are as follows:

1. There is an urgent need to respond immediately (e.g. flood response).
2. A person in authority is acting within their authority (e.g. police carrying out their duties).



3. The decisions are routine and are accepted as part of the municipality's operations (e.g. snow removal after a heavy snowfall).
4. The decisions are dictated by law (e.g. improvements to water treatment plant).
5. The decisions have substantial effect only on those who have already agreed to be affected through some form of contract (e.g. employment, volunteerism, accepting elected office).

In these cases, the municipality is acting within its authority and is expected to implement the decision efficiently. These decisions are posted to the public through the website and the community information signs. The public can also contact the Summer Village's office if they have any questions or concerns about the decisions made.

Public input is necessary when consultative decisions are to be made. These types of decisions usually have one or more of the following characteristics:

1. Public notification and input are required by law (see MGA requirements in the Introduction).
2. The decision is a known concern of other parties, or is likely to have a significant impact on other parties (e.g. a proposed casino).
3. The decision affects society's moral or emotional expectations (e.g. expansion of a recreation centre).
4. The decision affects the "comfort envelope" (lifestyle or habits) of citizens (e.g. road closure affecting how people access the highway).
5. People perceive there are risks associated with the decision (e.g. approving a "half-way" house to support convict rehabilitation).
6. Council or administration requests public input prior to making the decision (e.g. public buildings or open space management).

Consultative decisions are common in municipalities, however, the final decision rests with Council. For consultative decisions, public engagement is required. Ways in which the Summer Village encourages engagement is through surveys, the annual gatherings, council meetings that are open to the public, and annual newsletters.

Ways in Which the Summer Village Solicits Input

During the decision making process, the following questions will aid Council and Administration when determining what manner of public input is required:

- What kind of decision is being made?
- Who is going to be affected?
- How will those affected perceive the matter?

After asking these questions, Council and Administration can determine, choose from the listing above, which way public input is carried out.

While the MGA defines the minimum legal requirements for a municipality to provide public notification which are strictly followed, some additional ways that public input is and can be petitioned by the Summer Village are:

- Summer Village website page
- Annual picnics, gatherings, information meetings
- On-line or Paper Surveys
- Community information sign
- Annual newsletters
- Council meetings
- Mail outs

These methods are used to encourage public input from a variety of people who belong to certain demographic groups. This allows for a wide range of input to help Council members come to a decision that can help satisfy the needs of the Municipality.

Resources

Resources are available to help residents develop more informed inputs for decisions regarding the Municipality. The following resources are posted on the Summer Village's website:

- All policies that effect the Summer Village
- All bylaws that effect the Summer Village
- All meeting agendas and minutes from Council meetings
- Contact information for the Summer Village

With the help of these resources, Council and Administration hopes that the public will utilize them to help make better informed inputs.