



Mackenzie County

COMMITTEE OF THE WHOLE MEETING AGENDA

JUNE 26, 2018

10:00 A.M.

**COUNCIL CHAMBERS
FORT VERMILION, AB**

**MACKENZIE COUNTY
COMMITTEE OF THE WHOLE MEETING**

**Tuesday, June 26, 2018
10:00 a.m.**

**Fort Vermilion Council Chambers
Fort Vermilion, Alberta**

AGENDA

1. Delegation – Canada’s Oil & Natural Gas Producers (Caribou
Backgrounder and Socio-Economic Impacts) 5
10:00 a.m.
2. Delegation – Ann Everatt, President and CEO, Northern Lakes College 11
(Municipal Engagement Tour)
10:15 a.m.
3. Delegation – Glenn Newman, Peace River Division Manager, Wood 13
Environment & Infrastructure Solutions (Rural Waterlines)
10:30 a.m.
4. Councillor Code of Conduct Bylaw 27
5. Delegation – Alberta Energy Regulator 55
2:00 p.m.
6. 2017 and 2018 MSI Applications and Review 57
7. Next Meeting – August 28, 2018



Mackenzie County

REQUEST FOR DIRECTION

Meeting:	Committee of the Whole Meeting
Meeting Date:	June 26, 2018
Presented By:	Len Racher, Chief Administrative Officer
Title:	DELEGATION Canada's Oil & Natural Gas Producers – Caribou Backgrounder and Socio-Economic Impacts

BACKGROUND / PROPOSAL:

Chris Montgomery, Manager, E&P Engagement, will be present to provide a briefing on CAPP's collaborative approach to caribou range planning.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

SUSTAINABILITY PLAN:

COMMUNICATION:

RECOMMENDED ACTION:

- Simple Majority
 Requires 2/3
 Requires Unanimous

For information.

Author: _____ Reviewed by: _____ CAO: _____

May 9, 2018

Mr. Peter Braun
Reeve, Mackenzie County
4511-46 Avenue Box 640
Fort Vermilion, AB T0H 1N0

Dear Reeve Braun:

Re: CAPP's collaborative approach to caribou range planning

The Canadian Association of Petroleum Producers (CAPP) and our member companies have been actively engaged on the issue of the Alberta government's approach to developing range plans for caribou recovery. As you know, this issue has the potential for serious and long-lasting economic and employment impacts, should the government adopt an ineffective or inadequate caribou range plan province-wide.

CAPP has undertaken a socio-economic analysis of several different range planning scenarios the Alberta government could adopt. In the *status quo* case where current restrictions to access to resources and regulatory uncertainty persists, CAPP estimates the socio-economic cost would be \$4.5 billion in GDP, and 13,365 jobs. In contrast, with the implementation of CAPP's three-part caribou recovery solution, including the working landscape approach, GDP would increase by \$2.9 billion and more than 10,500 jobs would be added to the provincial economy versus maintaining the status quo.

CAPP is advocating for a realistic, collaborative and practical approach that can help boost caribou populations while at the same time protecting jobs and providing certainty to communities and industries. We believe caribou recovery is possible through implementing range plans based on science, and a social and economic analysis. CAPP is proposing a three-pronged action plan that incorporates:

- A "working landscape" approach to caribou range planning.
- Habitat restoration programs.
- Caribou population management programs.

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Tel 613-288-2126
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1004, 235 Water Street
St. John's, Newfoundland and Labrador
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Fax 709-724-4225

360B Harbour Road
Victoria, British Columbia
Canada V9A 3S1
Tel 778-265-3819
Fax 403-261-4622

We believe Albertans need to be heard on this issue. CAPP and member companies have created the enclosed fact sheet, which briefly outlines our concerns and – more importantly – spells out our solutions-based approach to managing the issue. You are welcome to use this information to help inform your constituents and ask them to take action, such as contacting their MLA to voice their concerns.

It's important to protect Canada's wildlife. It's also important to protect Canadian jobs and prosperity. CAPP is confident this is not an "either / or" decision: with pragmatic and reasonable planning and legislation, we can have both.

The upstream oil and natural gas industry has a track record of contributing ideas, technologies, research and action to caribou recovery efforts and wants to keep building on that commitment and momentum. Collaboration between all parties is essential; we believe a mutually acceptable solution is achievable.

I look forward to discussing these matters with you in greater detail as governments continue to advance actions in this space.

Thanks for your support.

Yours truly,

Chris Montgomery
Manager, Exploration and Production Outreach

PROPOSING A COLLABORATIVE, PRAGMATIC APPROACH TO CARIBOU RANGE PLANNING



INDUSTRY CHARACTER

Boreal caribou are among Canada's most recognizable national symbols, but due to a number of interrelated and complex natural and human-caused factors, caribou populations are declining. All stakeholders – from provincial, territorial and federal governments to industries and communities – have a role in working toward solutions to this challenging issue.

WORKING LANDSCAPE APPROACH: COLLABORATIVE, PRAGMATIC SOLUTIONS

The upstream petroleum industry has a track record of contributing ideas, technologies, research and action to caribou recovery efforts and wants to keep building on that commitment and momentum.

Caribou recovery will be lengthy and challenging. CAPP believes the best path to success is through an inclusive and coordinated effort involving all land users. A concerted effort involving all stakeholders and Indigenous people is required to develop and implement recovery measures within all caribou ranges. The total social cost, including job and other losses, should be acceptable to all parties.

We propose three pillars of action that, if enabled by government and implemented together, will ensure future industry development is planned and executed to maximize benefit to caribou, while efficiently and effectively restoring historical footprint.

THREE PILLARS OF ACTION

- **A WORKING LANDSCAPE APPROACH, INCLUDING SUCH INITIATIVES AS VOLUNTARY DEFERRAL OF ACTIVITIES, AND ASSESSING THE IMPACT OF CURRENT TENURE REGULATIONS ON LAND DISTURBANCE**
- **HABITAT RESTORATION PROGRAMS**
- **POPULATION MANAGEMENT PROGRAMS**

The oil and natural gas industry is one of many land users within caribou habitat and is well positioned as a partner in caribou recovery. However, our capacity to contribute depends upon remaining a vibrant, thriving and competitive industry. We believe a collaborative approach is crucial for efficient and effective implementation of recovery actions.

Collaboration is essential. We believe a mutually acceptable solution is achievable.

SOCIO-ECONOMIC ASSESSMENT

Canada's oil and natural gas industry is a primary contributor to provincial and federal government revenues, which in turn support education, health care, social programs and infrastructure. However, oil and natural gas development may be at risk from inadequate, inefficient range plans such as the pending implementation of restrictive range plans or a Federal Protection Order intended to help boost caribou numbers. This situation creates significant uncertainty for regulation, employment, energy development and even the industry's viability in some areas.

The socio-economic impact of inadequate, ineffective or failed caribou range and the resulting surface restrictions have the potential for significant socio-economic impacts to governments, citizens and industry.

IN ALBERTA:

- CAPP estimates the value of the total recoverable resources contained in active caribou ranges is greater than **\$1.5 TRILLION** including oil sands and other areas in the province.
- About **70 PER CENT** of all current in situ oil sands production is contained within northeastern Alberta caribou ranges.
- About ranges, **99 PER CENT** of the Little Smoky range is under Petroleum Natural Gas (PNG) leases, **87 PER CENT** of the Narraway range is currently leased, and **29 PER CENT** of the Chinchaga range is currently under lease.



CAPP has undertaken a socio-economic analysis of several different range planning scenarios the Alberta government could adopt. Under CAPP's recommended approach, GDP would increase by \$2.9 billion and more than 10,500 jobs would be added to the provincial economy versus maintaining the status quo. Under the status quo scenario, CAPP estimates the socio-economic cost would be \$4.5 billion in GDP and 13,365 jobs.

LET'S MOVE FORWARD - TOGETHER

CAPP and our members believe that a coordinated, pragmatic, 'working landscape' approach is the best path forward, not only for caribou population recovery but also to ensure regulatory certainty for the oil and natural gas industry - and economic prosperity for Alberta and Canada.

INDUSTRY CHARACTER

INDUSTRY IN ACTION:

Initiatives are underway to address legacy linear disturbances and return the boreal forest to high quality caribou habitat.

The Regional Industry Caribou Collaboration (RICC)

members are working with academia, the Government of Alberta and the Alberta Biodiversity Monitoring Institute (ABMI) Caribou Monitoring Unit to prioritize areas for caribou habitat restoration and coordinate research and monitoring efforts at a regional scale.

The LiDea Project uses innovative techniques to restore some of the original characteristics of the forest to areas of linear disturbance. During the spring and summer, conifer seedlings are planted along older seismic lines using specially prepared mounds. The mounds protect the seedlings from invasive grasses, which could impair their growth. Recently 100 per cent of the 237 km of legacy linear features within the LiDea area have been restored.

www.cosia.com



Mackenzie County

REQUEST FOR DIRECTION

Meeting:	Committee of the Whole Meeting
Meeting Date:	June 26, 2018
Presented By:	Len Racher, Chief Administrative Officer
Title:	DELEGATION Ann Everatt, President and CEO, Northern Lakes College (Municipal Engagement Tour)

BACKGROUND / PROPOSAL:

Ann Everatt, President and CEO of Northern Lakes College will be present to provide an update to Council on the activities of the College.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

SUSTAINABILITY PLAN:

COMMUNICATION:

RECOMMENDED ACTION:

- Simple Majority
- Requires 2/3
- Requires Unanimous

For information.

Author: _____ Reviewed by: _____ CAO: _____



Mackenzie County

REQUEST FOR DIRECTION

Meeting:	Committee of the Whole Meeting
Meeting Date:	June 26, 2018
Presented By:	Fred Wiebe, Director of Utilities
Title:	DELEGATION Glenn Newman, Peace River Division Manager, Wood Environment & Infrastructure Solutions (Rural Waterlines)

BACKGROUND / PROPOSAL:

Glenn Newman, Peace River Division Manager for Wood Environment & Infrastructure Solutions will be present to discuss the Mackenzie County Regional Water Line Feasibility Study – Peace River Crossing Options.

A copy of their presentation is attached.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

SUSTAINABILITY PLAN:

COMMUNICATION:

Author: _____ Reviewed by: _____ CAO: _____

RECOMMENDED ACTION:

Simple Majority

Requires 2/3

Requires Unanimous

For information.

Author: _____ Reviewed by: _____ CAO: _____

Mackenzie County Regional Water Line Feasibility Study Peace River Crossing Options

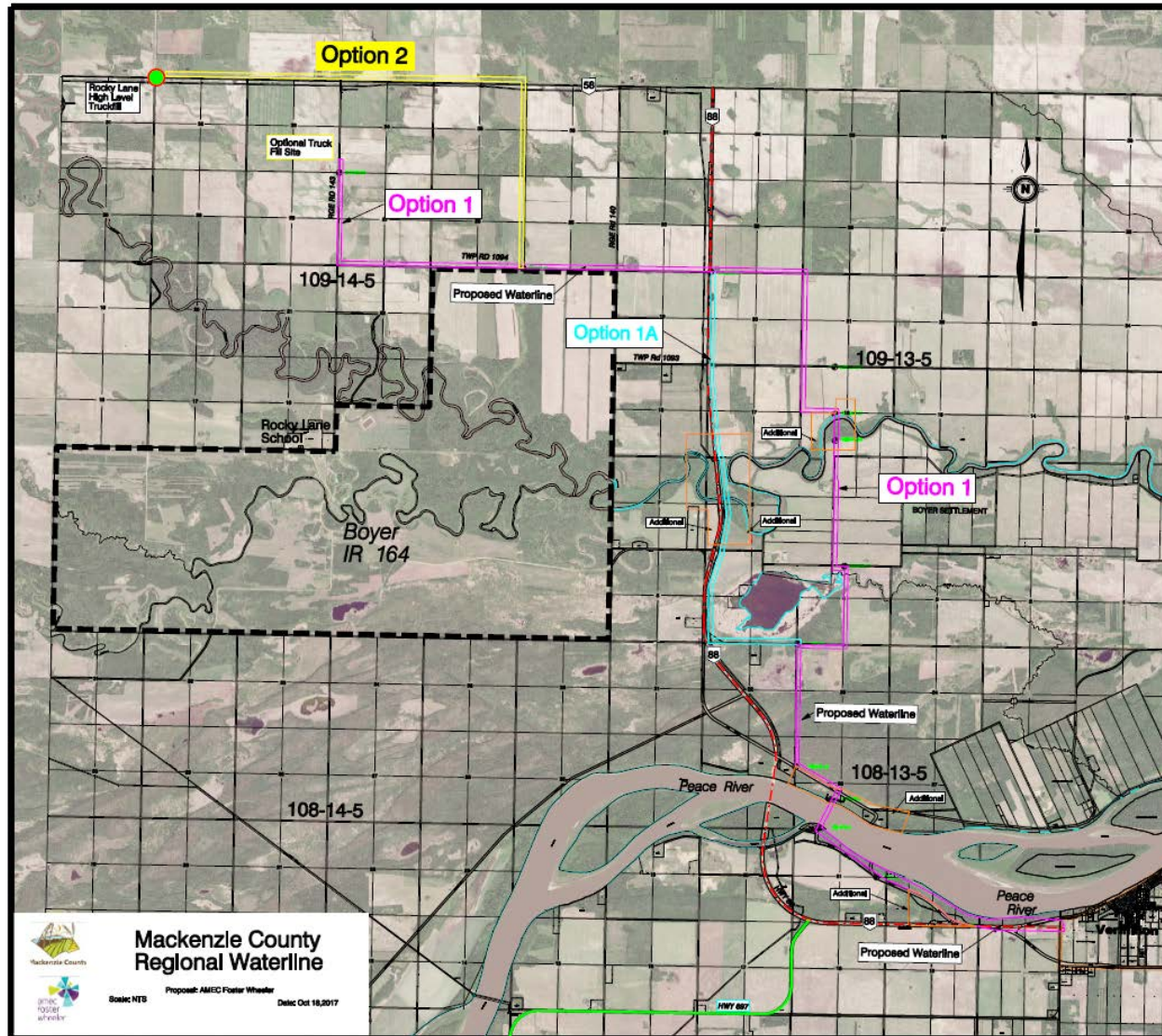
Presentation to Council June 26, 2018
Glenn Newman, Peace River Division Manager
Wood Environment & Infrastructure Solutions

Fort Vermilion Water Plant to Rocky Lane Truck Fill

- Several Alignment Options are being consider for the Pipeline from the Fort Vermilion Water Treatment Plant to the proposed Rocky Lane Truck Fill.
- All of the options currently being considered require a crossing of the Peace River
- Although not ruled out, crossing the Peace River on the existing Highway 88, Peace River Bridge poses several issues including freezing and the upcoming repairs that would likely require the relocation of the pipeline.
- Loading that the pipeline will place on the bridge is also a potential issue.



Fort Vermilion to Rocky Lane Truck Fill Route Study



Fort Vermilion to Rocky Lane Truck Fill

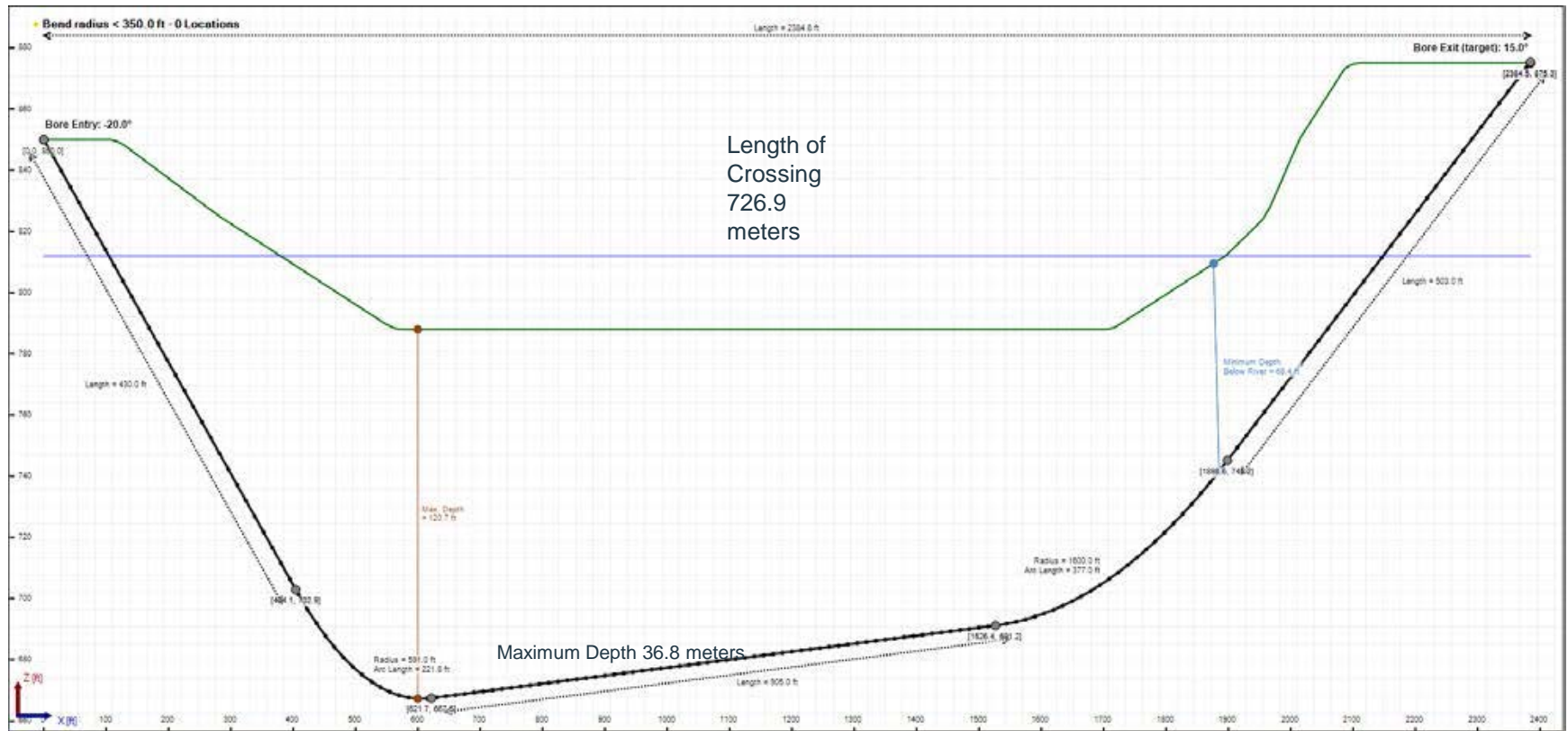
- The design for Horizontal Directional Drilling (HDD) across the Peace River will involve determining the pipe size and type based on the pressures and volumes required to provide for future water line expansion demands.
- Three options for the water pipeline capacity are currently being evaluated in the Feasibility Study.
- Crossing Option 1 would provide water to the proposed Rocky Lane Truck Fill.
- Crossing Option 2 would supply water to the Rocky Lane Truck Fill, and an additional Truck Fill just east of the Child Lake First Nation and the Child Lake First Nation.
- Crossing Option 3 would provide the additional capacity to provide water to option 1 & 2 and in the future to the Town of High Level.



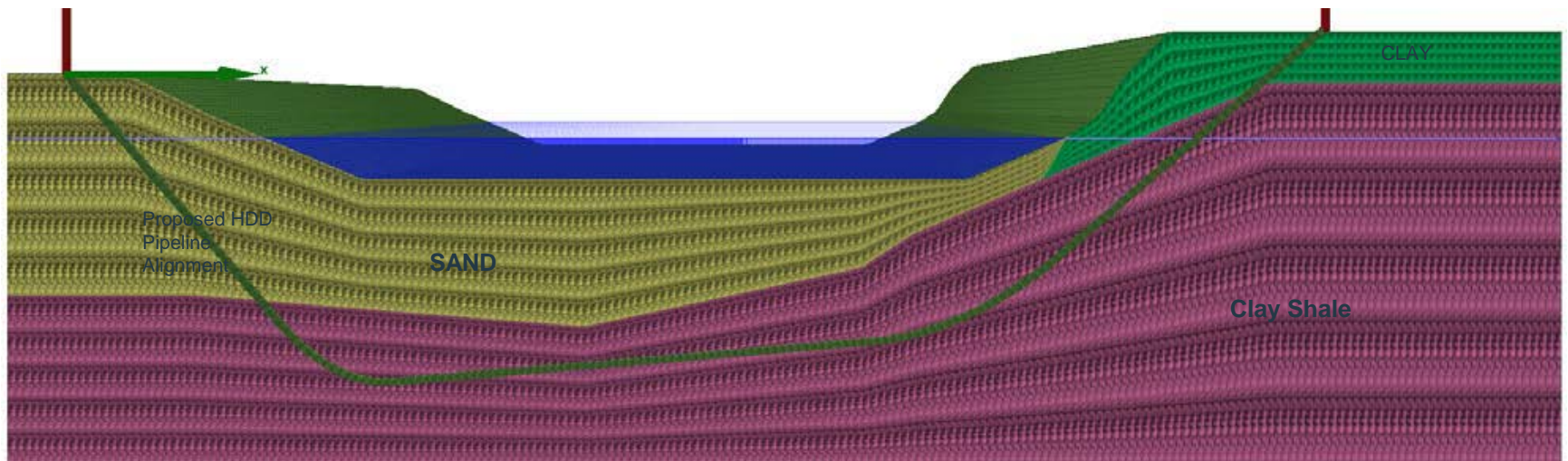
Proposed Peace River Crossing Site



HDD Alignment



HDD Stratigraphy

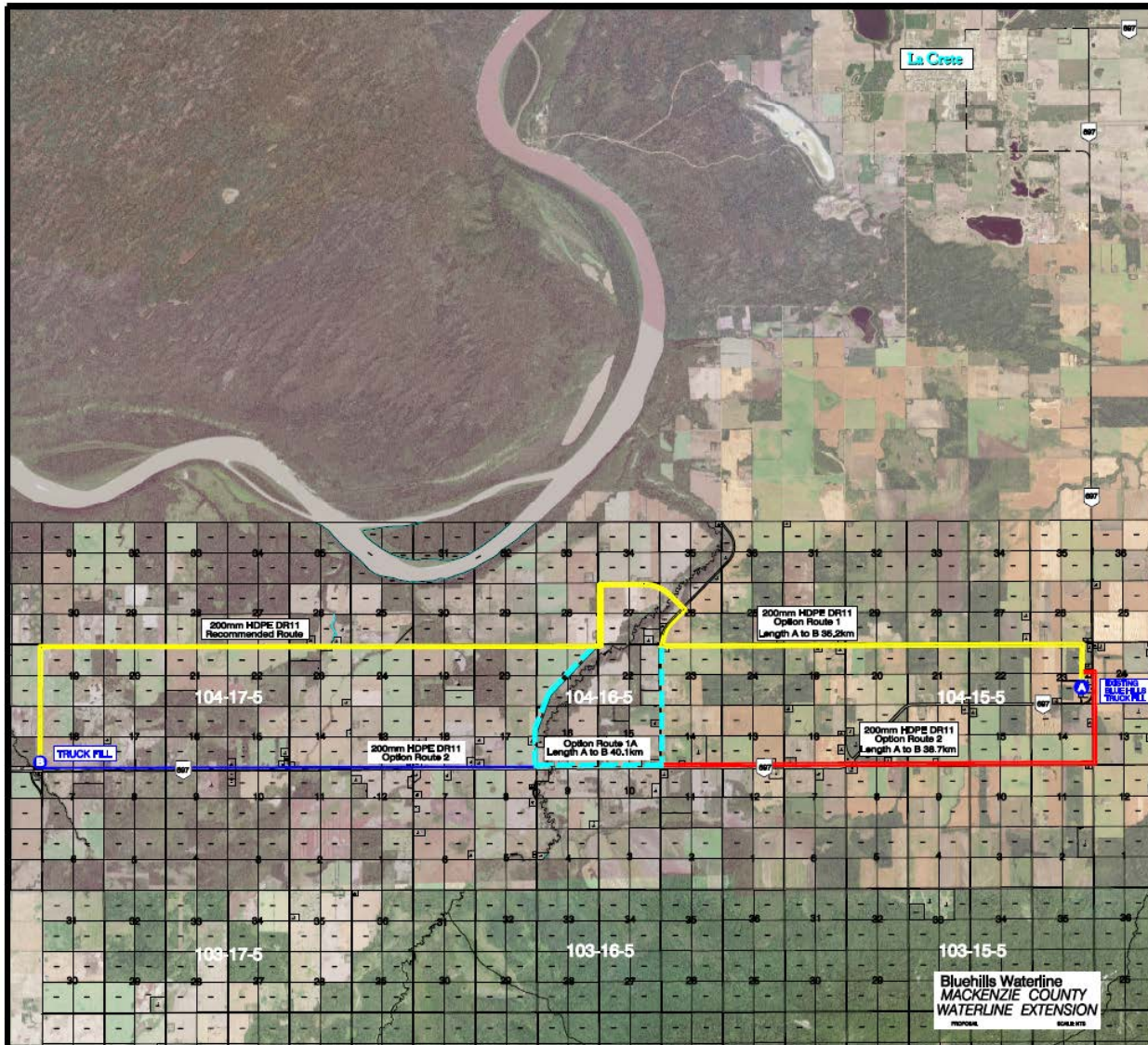


Ft. Vermilion to Rocky Lane Truck Fill

wood.		Pipeline Scenario Comparison		
		Jun. 18, 2018		
Project: <u>Ft. Vermilion to Rocky Lane Truck Fill</u>		Project Number: <u>PT18-0002</u>		
Scenario	Item	Length to Rocky Lane (m)	Cost per metre	Estimated Cost
Pipeline				
1) Supply Rocky Lane Truck Fill	200mm DIPS DR 11	30,000	\$225.00	\$6,750,000.00
2) Supply Rocky Lane & Child Lake	250mm DIPS DR 11	30,000	\$306.00	\$9,180,000.00
3) Supply Rocky Lane, Child Lake & High Level	600mm DIPS DR 11	30,000	\$1,340.00	\$40,200,000.00
Peace River Crossing				
1) 200mm DIPS DR 11	HDD and Supply of Pipe	750	\$2,390.00	\$1,792,500.00
2) 250mm DIPS DR 11	HDD and Supply of Pipe	750	\$2,470.00	\$1,852,500.00
3) 600mm DIPS DR 11	HDD and Supply of Pipe	750	\$3,505.00	\$2,628,750.00



Buffalo Head Prairie to Bluehills Truck Fill Route Study



Buffalo Head Prairie Truck Fill to Blue Hills Truck Fill

- Several options for the water pipeline alignment are currently being evaluated as shown on the Site Plan.
- Option 1 is approximately 34 kilometres in length.



Mackenzie County Regional Water Line Feasibility Study Peace River Crossing Options

Presentation to Council June 26, 2018
Glenn Newman Peace River Division Manager
Wood Environment & Infrastructure Solutions



Mackenzie County

REQUEST FOR DIRECTION

Meeting:	Committee of the Whole Meeting
Meeting Date:	June 26, 2018
Presented By:	Len Racher, Chief Administrative Officer
Title:	Bylaw 1095-18 Councillor Code of Conduct

BACKGROUND / PROPOSAL:

Municipalities must establish a code of conduct bylaw as per the Code of Conduct for Elected Officials Regulation that governs the conduct of councillors and is applied to all councillors equally.

Municipalities must ensure that the established code of conduct bylaw meets the minimum standards established by the Code of Conduct for Elected Officials Regulation; which includes addressing the following items:

- Representing the municipality;
- Communicating on behalf of the municipality;
- Respecting the decision-making process;
- Adherence to policies, procedures and bylaws;
- Respectful interactions with councillors, staff, the public and others;
- Confidential information;
- Conflicts of interest;
- Improper use of influence;
- Use of municipal assets and services;
- Orientation and other training attendance; and
- Set out a complaint process and sanctions for breach of Code of Conduct.

Municipalities must review/update the code of conduct bylaw at least once every four (4) years.

First reading was given on April 10, 2018 as amended. Council has requested further review of the bylaw at the Committee of the Whole meeting prior to giving second and third reading of the bylaw.

Author: C. Gabriel **Reviewed by:** L. Racher **CAO:** _____

OPTIONS & BENEFITS:

The Municipal Government Act establishes the general duties of all councillors and requires that councillors take the official oath prior to assuming office. It establishes rules regarding pecuniary interests and specifies what events or conduct will cause a councillor to be disqualified from holding office. The Municipal Government Act, however, does not address councillor conduct that falls short of being a disqualifying event. Instead, the Provincial Government has instated the Code of Conduct for Elected Officials Regulation requiring all municipalities to pass a bylaw in relation to the conduct of its Council and councillors.

A copy of the County of Grande Prairie’s Council Code of Conduct Policy is attached for reference as requested by a Councillor.

COSTS & SOURCE OF FUNDING:

N/A

SUSTAINABILITY PLAN:

N/A

COMMUNICATION:

Bylaws are available on the County website.

RECOMMENDED ACTION:

For discussion.

Author: C. Gabriel Reviewed by: L. Racher CAO: _____

BYLAW NO 1095-18
BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA

TO ESTABLISH A CODE OF CONDUCT
FOR MEMBERS OF COUNCIL

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

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

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

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

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

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

NOW THEREFORE, the Council of Mackenzie County, in the Province of Alberta, duly assembled, enacts as follows:

1. SHORT TITLE

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

2. DEFINITIONS

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

(a) “**Act**” means the *Municipal Government Act*, RSA 2000, c. M-26, and associated regulations, as amended;

(b) “**Administration**” means the administrative and operational arm of the Municipality, comprised of the various departments and business units and

- including all employees who operate under the leadership and supervision of the CAO;
- (c) “**CAO**” means the Chief Administrative Officer of the Municipality, or their delegate;
 - (d) “**FOIP**” means the Freedom of Information and Protection of Privacy Act, RSA 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
 - (e) “**Investigator**” means Council or the individual or body established by Council to investigate and report on complaints;
 - (f) “**Member**” means a member of Council and includes a councillor or the Reeve and includes members of council committees or other bodies established by Council who are not councillors or the Reeve;
 - (g) “**Municipality**” means the municipal corporation of Mackenzie County.

3. PURPOSE AND APPLICATION

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

4. REPRESENTING THE MUNICIPALITY

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

5. COMMUNICATING ON BEHALF OF THE MUNICIPALITY

- 5.1 A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2 Unless Council directs otherwise, the Reeve is Council’s official spokesperson and in the absence of the Reeve it is the Deputy Reeve. All inquiries from the

media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

- 5.3 A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.
- 5.4 No Member shall make a statement when they know that statement is false.
- 5.5 No Member shall make a statement with the intent to mislead Council or members of the public.

~~6. USE OF SOCIAL MEDIA~~

~~6.1 No Member shall use personal social media networks for official municipal business.~~

~~6.2 Members shall adhere to the Social Media Policy as adopted by Council.~~

7. RESPECTING THE DECISION-MAKING PROCESS

- 7.1 Decision making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
- 7.2 Members shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in an in-camera session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 7.3 Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

8. ADHERENCE TO POLICIES, PROCEDURES AND BYLAWS

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

- 8.2 Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
- 8.3 A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

9. RESPECTFUL INTERACTIONS WITH COUNCIL MEMBERS, STAFF, THE PUBLIC AND OTHERS

- 9.1 Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
- 9.2 Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
- 9.3 No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public.
- 9.4 No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
- 9.5 Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.
- 9.6 Members must not:
- (a) Involve themselves in matters of Administration, which fall within the jurisdiction of the CAO;
 - (b) Use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
 - (c) Maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.
- 9.7 Members shall adhere to the conduct of Members at meetings as identified in the municipalities Procedural Bylaw.

9.8 Members shall respect the framework established to clarify the roles and communication standards as identified in the Council/Administration Protocol Policy.

10. **CONFIDENTIAL INFORMATION**

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

10.2 ~~In the course of their duties, Members may also become privy to confidential information received outside of an “in-camera” meeting. Members must not:~~

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

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

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

Members shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so.

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

10.4 Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:

(a) The security of the property of the Municipality;

(b) A proposed or pending acquisition or disposition of land or other property;

~~(c) A tender that has or will be issued but has not been awarded;~~

(d) Contract negotiations;

(e) Employment and labour relations;

- (f) Draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
- (g) Law enforcement matters;
- (h) Litigation or potential litigation, including matters before administrative tribunals; and
- (i) Advice that is subject to solicitor-client privilege.

11. CONFLICTS OF INTEREST

- 11.1 Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 11.2 Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise **as per the Act**.
- 11.3 Members shall approach decision-making with an open mind that is capable of persuasion.
- 11.4 It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

12. IMPROPER USE OF INFLUENCE

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

13. USE OF MUNICIPAL ASSETS AND SERVICES

- 13.1 Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member.
- 13.2 Members shall use municipally owned electronic equipment according to the Electronic Access and Acceptable Use Policy.

14. ORIENTATION AND OTHER TRAINING ATTENDANCE

- 14.1 Every Member must attend be offered the orientation training offered by the Municipality within 90 days after the Member takes the oath of office. Attendance at additional training sessions throughout the Council term is discretionary.

15. GIFTS AND HOSPITALITY

- 15.1 Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.

~~15.2 Members may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the hospitality, gift or benefit does not exceed fifty (\$50) dollars.~~

~~**16. ELECTION CAMPAIGNS**~~

~~16.1 No Member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.~~

17. INFORMAL COMPLAINT PROCESS

- 17.1 Any person or any Member who has identified or witnessed conduct by a Member that the person or Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
 - (a) Advising the Member that the conduct violates this Bylaw and encouraging the Member to stop,
 - (b) Requesting the Reeve to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Reeve is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Reeve.

17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

18. FORMAL COMPLAINT PROCESS

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

- (i) A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

19. COMPLIANCE AND ENFORCEMENT

19.1 Members shall uphold the letter and the spirit and the intent of this Bylaw.

19.2 Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.

19.3 No Member shall:

- (a) Undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
- (b) Obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

19.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:

- (a) A letter of reprimand addressed to the Member;
- (b) Requesting the Member to issue a letter of apology;
- (c) Publication of a letter of reprimand or request for apology and the Member's response;
- (d) Suspension or removal of the appointment of a Member as the chief elected official under section 150(2) of the Act;
- (e) Suspension or removal of the appointment of a Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
- (f) Suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- (g) Suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
- (h) Reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
- (i) Any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Member from fulfilling the legislated duties of a councillor and the sanction is not contrary to the Act.

20. REVIEW

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

21. EFFECTIVE DATE

21.1 The adoption of this bylaw is effective upon the date of the passing of the third and final reading thereof.

READ a first time this 10th day of April, 2018.

READ a second time this ____ day of _____, 2018.

READ a third time and finally passed this ____ day of _____, 2018.

Peter F. Braun
Reeve

Len Racher
Chief Administrative Officer



POLICY MANUAL

Legal References: <ul style="list-style-type: none"> • Municipal Government Act • Freedom of Information and Protection of Privacy Act • Local Authorities Election Act 	Policy department: Council and Legislative
Cross References: <ul style="list-style-type: none"> • Procedural Bylaw 3001 	Policy Number: F6
Adoption Date: <ul style="list-style-type: none"> • June 1, 2015 – CM20150601.1008 	Policy Title: Council Code of Conduct
Revision Date: <ul style="list-style-type: none"> • 	Review Date: June 1, 2018

PART ONE

INTRODUCTION AND INTERPRETATION OF POLICY

Policy F6 shall be cited as the “Council Code of Conduct”.

Headings in this Policy are for reference purposes only.

At no time is it the intent of this Policy to create undue strictness of adherence to cause intimidation or limit participation.

The interpretation of the Code of Conduct will be at the discretion of the Council.

The Code of Conduct will apply to Council Members, Council as a whole and Council Committees.

1. POLICY PURPOSE

The citizens of the County of Grande Prairie No. 1 expect high standards of conduct from their municipal government officials. The quality of the County of Grande Prairie No. 1’s public administration and governance, as well as its reputation and integrity, depend on the highest standards of conduct from its elected representatives.



Ethics and integrity are at the core of public confidence in municipal government. The purpose of this Code of Conduct is to provide standards for Members of Council relating to their roles and obligations, and a procedure for the investigation and enforcement of those standards.

2. POLICY STATEMENT

Council Members shall at all times conduct themselves and commit to ethical, businesslike, and lawful conduct, including the appropriate use of authority vested in them and appropriate decorum when acting as a Council Member.

The Code of Conduct is to:

- a) Set out clear expectations on the behaviour of Council Members;
- b) To provide information to the public as to the behaviour they can expect from their Council;
- c) To provide guidance to Members of Council in the conduct of their duties as elected officials; and
- d) To provide a mechanism for responding to alleged breaches of this Code of Conduct.

The key statements of principle that underline the Code of Conduct are as follows;

- a) Members of Council shall serve and be seen to serve their rate payers in a conscientious and diligent manner;
- b) Members of Council shall be committed to performing their functions with integrity and recognizing the influence they wield as a Council Member and avoiding the abuse of that influence;
- c) Members of Council are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny; and
- d) Members of Council shall seek to be stewards of public interest by upholding both the letter and the spirit of the laws of the Federal Parliament and Alberta Legislature, and the laws and policies adopted by County Council.
- e) Members of Council shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability;
- f) Members of Council shall not harass any person.

Council Members will treat fellow Council Members, County staff, residents, visitors and all other parties which they interact with in the process of carrying out their duties with respect, professionalism and dignity.

Council Members who breach this policy shall be subject to sanctions as specified herein.

3. DEFINITIONS

In this Policy, unless the context otherwise requires:

- a) "Administration" means the employees of the County of Grande Prairie No. 1;
- b) "CAO" means Chief Administrative Officer;
- c) "Chief Elected Official" means the person elected or appointed as Reeve under the *Municipal Government Act*;
- d) "Committee" means a Council Committee, board, commission or other body established by Council under the *Municipal Government Act*;
- e) "Confidential Information" includes but is not limited to:



- In the possession of the County that the County is either prohibited from disclosing, is required to refuse to disclose or exercises its discretion to refuse to disclose under the FOIP Act or other legislation;
 - Concerning matters that have been discussed in an “in-camera” meeting pursuant to the MGA, but not yet made public.
- f) “Council” means the Reeve and Council Members duly elected in the County of Grande Prairie No. 1 and who continue to hold office;
- g) “Council Member” means a Member duly elected as a Council Member under the *Local Authorities Election Act* to represent a ward of the County of Grande Prairie No. 1 who continues to hold office;
- h) “County” means the geographic area contained within the boundaries of the municipality of the County of Grande Prairie No. 1;
- i) “FOIP” means *Freedom of Information and Protection of Privacy Act*;
- j) “In Camera” means a portion of the Meeting which is closed to the public in accordance with the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act*;
- k) “Harassment” means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Every person has the right to respect, equality and the right to an environment that is safe and free from harassment and discrimination;
- l) “Member” means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council;
- m) “Municipal Government Act” means *Municipal Government Act*, R.S.A. 2000, c. M-26 and amendments thereto also known as MGA;
- n) “Reeve” is the Council Member appointed by Council, pursuant to the *Municipal Government Act* to act as the Chief Elected Official;
- o) “Relative” means the Council Members spouse or adult interdependent partner, the Council Members children, the parents of the Councillor and the parents of the Council Member’s spouse or adult interdependent partner and shall include any others who are reasonably perceived by Council, staff or the rate payer to be family and includes cousins, uncles, aunts, brothers, sisters, sons- or daughters-in-law;
- p) “Spouse” means the husband or wife of a married person or interdependent partner but does not include a spouse who is living separate and apart from the person if the person and spouse have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order;
- q) “The County” means the municipal corporation of the County of Grande Prairie No. 1 having jurisdiction under the *Municipal Government Act* and other applicable legislation.

PART TWO

ACCOUNTABILITY AND PRINCIPLES

4. ACCOUNTABILITY AND PRINCIPLES

Council Members shall:

- a) Govern their conduct in accordance with the requirements and obligations set out in the MGA;
- b) Commit to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Council Members;



- c) Council Members shall not take action beyond the powers granted by the MGA without having the necessary authority from Council to do so;
- d) Represent the best interests of the County;
- e) Participate when appointed as a member of committees or boards and to inform Council as a whole of the activities of that committee or board;
- f) Avoid conflict of interest, by refraining from self-dealing or any conduct of private business or personal services between any Council Members and the County, except as provided by the *Municipal Government Act*;
- g) Disclose pecuniary interests as outlined in the *Municipal Government Act*;
- h) Disclose their affiliations or interest with an organization that may affect their decision making on matters before Council regarding that organization;
- i) Debate in a manner that is respectful, considerate and healthy and will be limited to the topic that is directly related to the motion on the table;
- j) Shall take all points of view into account when making decisions;
- k) Will, when interacting with the public and the media, support decisions of Council by way of motions in a positive holistic manner;
- l) Acknowledge that official information related to decisions and resolutions made by Council will normally be communicated to the public and the media by the Reeve as the Chief Elected Officer or the CAO;
- m) Have the option to respectfully disagree with other Members of Council;
- n) When expressing their personal opinion or position shall explicitly state that those opinions do not represent the Council or The County;
- o) Preserve the integrity and impartiality of Council;
- p) Direct comments or opinions regarding County staff to the CAO;
- q) Avoid public comments regarding County staff/ CAO and their performance;
- r) Think independently and refrain from forming allegiances or factions within Council;

PART THREE

STATUTORY REGULATIONS

5. STATUTORY PROVISIONS REGULATING THE CODE OF CONDUCT

This Code of Conduct operates along with and as a supplement to the existing statutes governing the conduct of Council Members. The following Provincial legislation governs the conduct of Members of Council:

- a) The *Municipal Government Act* and amendments thereto;
- b) The Alberta Freedom of Information and Protection of Privacy Act and amendments thereto;
- c) The Local Authorities Election Act and amendments thereto; and
- d) Other Provincial or Federal Legislation as it applies.

6. STATUTORY OFFENCES WITH PENALTIES

Part 5 Division 6 of the *Municipal Government Act* governs the disqualifications of Council Members of a municipality.

Sections 22-23 of the Local Authorities Election Act governs the ineligibility to be nominated.

7. STATUTORY DUTIES OF COUNCIL MEMBERS AND THE REEVE



Part 5 Division 3 of the *Municipal Government Act* governs the duties of Council Members and the Chief Elected Official of a municipality.

PART FOUR

CONFIDENTIAL INFORMATION

8. CONFIDENTIAL INFORMATION

In addition to the statutory duties set out in the MGA and FOIP Act, Council Members shall:

- a) refrain from disclosing or releasing by any means to any member of the public or the media, any confidential information acquired by virtue of their office in either oral, written or electronic form, except when required by law or authorized by Council to do so;
- b) refrain from use of confidential information for personal or private gain, or for the gain of relatives or any person or corporation; and
- c) refrain from accessing or attempting to gain access to confidential information in the custody of the County unless it is necessary for the performance of their duties and not prohibited by Council policy, bylaw or prevailing legislation.

Particular care should be exercised in ensuring confidentiality of the following:

- a) Information relating to the security of the property of the organization;
- b) Personal matters about an identifiable individual, including municipal employees;
- c) A proposed or pending acquisition or disposition of land by the municipality;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
- f) Advice that is subject to solicitor-client privilege, including communication necessary for that purpose;
- g) Sources of complaints where the identity of the complainant is given in confidence;
- h) Information about suppliers provided for evaluation which is of a proprietary nature or might be useful to other suppliers;
- i) Any information in relation to a tender that has or will be issued but that has not been awarded; and
- j) Schedules of prices in contract tenders.

PART FIVE

GIFTS AND BENEFITS

9. GIFTS AND BENEFITS

No Member of Council shall accept a fee, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or gift or benefit that is paid to or provided with the Council Member's knowledge to the Council Member's spouse, partner, child or parent that is connected directly or indirectly to the performance of the Council Member's duties is deemed to be a gift to that Council Member.

The following are recognized as exceptions:



- a) Such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the gift or benefit does not exceed \$350.00;
- b) A suitable memento from a function honouring a Council Member;
- c) Food, lodging, transportation, event tickets or entertainment provided by provincial, regional and local governments, by the Federal government, foreign government or by the conference, seminar or event organizer where the member is either speaking or attending in an official capacity; and
- d) Food and beverages consumed at banquets, receptions, business lunches or similar events, if attendance serves a legitimate business purpose, the person extending the invitation or a representative of the organization is in attendance, and the value is reasonable and the invitations infrequent.

PART SIX

MUNICIPAL ELECTIONS

10. ACTIONS DURING MUNICIPAL ELECTION PERIODS

No member of Council shall use the facilities, equipment, supplies, services or other resources of the County (including County newsletters, the County's website and websites linked through the County's website) for any election campaign or campaign-related activities.

Any campaign-related activities that occur in County buildings or any municipal facility must take place in a location that is normally available for rental to the public and which has been arranged through the normal rental process.

No Council Member shall use the services of municipal staff for election-related purposes during hours in which those municipal staff members receive any compensation from the County.

For greater clarity and to ensure that Members of Council do not receive any undue benefit by virtue of being an incumbent, during the period between Nomination Day and the date of the election, Council Members shall:

- a) Refrain from using County postage or other resources for mass mailings of any kind,
- b) Refrain from referring to themselves in campaign advertisements as "Councillor X";
- c) Refrain from organizing activities such as formal openings of facilities or public spaces or similar events; and
- d) Strictly adhere to all of the rules that govern candidates in local elections as defined in the Local Authorities Election Act or any other legislation as it relates.

PART SEVEN

LEAVE OF ABSENCE

11. LEAVE OF ABSENCE

Occasionally a Council Member will take a leave of absence in order to run for elected office of another level of government. During the period of the leave the Council Member:



- a) Will not receive any confidential agendas, communications or documents from the County;
- b) Will receive copies of all public information;
- c) Will not be required to return their County-issued material or electronic devices during the period of the unpaid leave, but will not use it for any non-municipal purpose; and
- d) Will not be reimbursed for any mileage or telephone or similar expenses.

PART EIGHT

COMPLIANCE

All Council Members shall cooperate in any investigation made pursuant to this Section.

All Council motions on offences and penalties will be resolved with two-thirds (2/3) majority vote of the total number of Councillors, excluding the offending Council Member.

12. STATUTORY OFFENCES WITH PENALTIES

A complaint under this Section of the Code of Conduct must be in writing and must be made either:

- a) By a Member of Council; or
- b) By the CAO except where the matter relates to Part 5, Division 6 of the *Municipal Government Act* (Pecuniary Interest of Councillors);

Such complaints will relate to alleged breaches of statutory provisions.

The CAO shall forward all complaints, including the name of the complainant, to all Council Members (“in confidence”), including the Council Member(s) about whom the complaint is made.

The Council Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.

Upon receipt of a complaint under this Section of the Code of Conduct, Council shall meet, “in camera”, excluding the member of Council concerned, review the Complaint and written response of the Council Member, and decide whether to proceed to investigate the complaint or not. Council, in its sole discretion, may decide to take no action on the complaint. The Council Member(s) concerned shall be notified of the Council decision.

If Council decides to investigate the complaint, it shall take such steps as it may consider appropriate, which may include hiring an independent investigator, seeking legal advice, etc. All proceedings of Council regarding the investigation shall be “in camera”.

If Council believes, following the investigation, that the Council Member(s) concerned may have breached the statutory regulations, it shall advise the Council Member(s) of this, and give them an opportunity to make oral or written submissions to Council.



If Council concludes that the Council Member(s) concerned has breached the statutory regulations, it may, in its sole discretion, decide to advise the Council Member(s) concerned of its conclusion and approve moving forward with the appropriate proceedings pursuant to the *Municipal Government Act*.

The *Municipal Government Act* provides that a member who is disqualified must resign immediately. If the Council Member(s) does not resign as required, the Council or an elector may apply to a judge of the court for:

- a) An order determining whether the person was never qualified to be or has ceased to be qualified to remain a Member of Council; or
- b) An order declaring the person to be disqualified from Council.

Should the Council Member(s) concerned not resign immediately, Council may, in its sole discretion, take the appropriate proceedings pursuant to the *Municipal Government Act* be commenced against the Council Member(s) who is subject of complaint.

13. BREACH OF CONFIDENTIALITY REGARDING THE CONFIDENTIAL INFORMATION SECTION OF THIS POLICY

Where a Council Member(s) or member(s) of the County's Senior Administration has a reason to believe that a breach of confidentiality has occurred, the facts, as they are known, shall be reported in writing to the CAO ("in confidence") including the name of the complainant. The CAO shall forward all complaint reports including the name of the complainant, to all Council Members including the Council Member(s) about whom the complaint is made.

The Council Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.

If Council decides to investigate the complaint, it shall appoint an independent investigator to conduct the investigation. All proceedings of Council regarding the investigation shall be "in camera".

Upon receipt of the report of the independent investigator, Council shall meet to consider the matter "in camera". If one or more Council Member(s) are named in the investigative report as being potentially responsible for the breach of confidentiality, that Council Member(s) shall be excluded from the meeting.

If Council concludes that the Council Member(s) named are responsible for a breach of confidentiality, it may, in its sole discretion, decide that sanctions be imposed. The Council Member(s) concerned shall be advised of Council's conclusion and decisions.

14. ALL OTHER BREACHES OF THIS POLICY

A complaint under this Section must be in writing and must be made either:

- a) By Council Members; or
- b) By the CAO; or
- c) By municipal employees; or
- d) By the public.



The CAO shall forward all complaints to Council “in confidence” including the Council Member(s) about whom the complaint is made.

The Council Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.

Upon receipt of a complaint under this Section, Council shall meet “in camera” excluding the Council Member(s) concerned, and decide whether to proceed to investigate the complaint or not. Council, in its sole discretion, may decide to take no action on the complaint. The Council Member(s) concerned shall be notified of Council’s decision.

The Council Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.

If Council decides to investigate the complaint, it shall appoint an independent investigator to conduct the investigation. All proceedings of Council regarding the investigation shall be “in camera”.

If, after receipt of the report of the independent investigator, Council believes that the Council Member(s) concerned may have breached a provision of this Policy, it shall advise the Member(s) of this, and give them an opportunity to make oral or written submission to Council.

If Council concludes that the Council Member(s) concerned has breached a provision of this Policy, it may, in its sole discretion, decide the sanctions to be imposed. The Council Member(s) concerned shall be advised by Council of their conclusion and decision.



PART NINE

SANCTIONS

15. SANCTIONS

If Council determines that a complaint reviewed under this policy is valid then Council, by resolution, may impose one or more of the following sanctions against the offending Councillor:

- a) Written apology from the offender;
- b) Verbal reprimand to be provided by the Reeve or Deputy Reeve if the Reeve is the offender;
- c) Written censure to be provided by the Reeve or Deputy Reeve if the Reeve is the offender;
- d) Termination or suspension to a defined date of the Council Member's appointment to one or more committees or boards;
- e) Restriction of access to municipal owned buildings except for Council or committee meetings;
- f) Restriction of access to electronic devices provided by the County;
- g) Request for an inquiry under Part 14 of the *Municipal Government Act*;
- h) Initiation of legal action under Part 5 Division 8 of the *Municipal Government Act*;
- i) Other measures as determined by Council in order to restore the accountability of Council.

Any costs or inconveniences, legal or otherwise, arising from a breach or sanction imposed are solely at the cost of the offending Council Member.

16. COMPLAINT PROCESS

Council Members, CAO, municipal employees or the public that have:

- a) Identified or witnessed any prohibited activity by a Council Member which is prohibited under this Code of Conduct or is a contravention of Legislation or Procedural Bylaw; or
- b) Witnessed or been subject to discriminatory treatment by a Council Member contrary to this Code of Conduct or prevailing legislation; or
- c) Witnessed or been subject to harassment by a Council Member contrary this Code of Conduct or prevailing legislation;

may address the prohibited conduct or activity as set out in Appendix "A" and "B" of this policy.

Any complaint or disclosure of alleged prohibited conduct or activity that is reported by a County employee and is identified by the CAO to be knowingly false or vexatious will be reprimanded through policies and procedures in place by County Human Resources that can be up to and including termination of employment. And, a formal apology from the complainant to the alleged offending Council Member as the CAO deems appropriate.

Any complaint or disclosure of alleged prohibited conduct or activity that is reported by a Council Member and is identified by the Reeve or the CAO to be knowingly false or vexatious will be reprimanded by Council by means of sanctions listed in the Code of Conduct as Council deems appropriate and a formal apology from the complainant to the alleged offending Council Member as Council deems appropriate.



17. RESPONSIBILITIES OF COUNCIL

If any Council Member becomes aware of breach of this Code of Conduct by, or an allegation of breach of this Code of Conduct against, any other Council Member, it is the Council Member's responsibility to report the breach of this Code of Conduct or the allegation to the Reeve or CAO.

It is the responsibility of the Reeve and CAO to ensure implementation of this Policy with all Members of Council and Council Committees.

Members of Council shall not assume that any unethical activity or activity that is not in the best interest of the County, not covered by or specifically prohibited by this Code of Conduct, or any legislation, are therefore condoned.

18. DISPUTE RESOLUTION

Council Members will work to resolve conflict between one another, using one or more of the options as outlined in Appendix "C".

19. PROCEDURAL BYLAW

Council Members shall adhere to the Procedural Bylaw and failure to do so may be addressed under this Code of Conduct as Council deems necessary.

20. POLICY AUTHORITY

Council will have the authority to amend the Code of Conduct from time to time to keep current, enforceable and compliant with statutes and legislation in the Province of Alberta.

APPENDICES:

1. Complaint Process for Municipal Employees and Public
2. Complaint Process for Council Members and Chief Administrative Officer
3. Dispute Resolution Process



APPENDIX "1"

COMPLAINT PROCESS FOR MUNICIPAL EMPLOYEES AND PUBLIC

Municipal staff and the public are encouraged to utilize the County's internal procedures to resolve complaints but may at any time contact the Human Rights Commission or the RCMP depending on the nature of the complaint.

Complaints made by municipal employees of discrimination or harassment by a Council Member;

- a) Shall be made in writing, dated and signed by the person making it; and
- b) Shall contain all of the facts available at the time it is made, including how the complainant became aware of the alleged discrimination or harassment, the nature of the alleged discrimination or harassment, names of witnesses, and the date, time and location of the alleged breach of this Code of Conduct; and
- c) The written allegation of breach of this Code of Conduct must be delivered, or directed to the CAO in a confidential manner; and
- d) Where a municipal employee makes a complaint of harassment or discriminatory treatment by a Council Member, the Council Member may participate in the resolution and or mediation processes under the Protection of Workers from Workplace Violence Policy – L-11, and the Occupational Health and Safety Act and Code and Alberta Human Rights Act; or
- e) If the Council Member does not participate in these processes or if the complaint is not resolved through these processes, the complainant may lodge a complaint to the Alberta Human Rights Commission.

Other allegations of breach of this Code of Conduct may follow these subsequent steps;

- a) Shall be made in writing, dated and signed by the person making it; and
- b) Shall contain all of the facts available at the time it is made, including how the complainant became aware of the alleged breach of this Code of Conduct, the nature of the alleged breach of this Code of Conduct, names of witnesses, and the date, time and location of the alleged breach of this Code of Conduct; and
- c) The written allegation of breach of this Code of Conduct must be delivered, or directed to the CAO in a confidential manner.

A complainant may contact the RCMP with respect to an investigation under s.122 of the *Criminal Code of Canada*, where the allegation is that a Council Member, in a matter connected to the duties of office allegedly commits fraud or a breach of trust; or

A complainant may contact the RCMP with respect to an investigation under s.123 of the *Criminal Code of Canada*, where the allegation is that a Council Member, in a matter connected to the duties of office, demands, accepts, offers or agrees to accept from any person, a loan, reward, advantage or benefit of any kind; or

A complainant may advise the Council Member verbally or in writing that the alleged activity contravenes this Policy and encourage the Council Member to stop the alleged prohibited activity. A complainant should keep written record of the incidents including dates, times, locations, other persons present, and any other relevant information.

Notwithstanding these procedures, any municipal employee or member of the public may make an



allegation of breach of this Code of Conduct against a Council Member(s) directly to the Human Rights Commission, the RCMP, Municipal Affairs or the Court of Queen's Bench.



APPENDIX "2"

COMPLAINT PROCESS FOR COUNCIL MEMBERS AND THE CHIEF ADMINISTRATIVE OFFICER

Municipal Council or the CAO are encouraged to utilize the County's internal procedures to resolve complaints but may at any time contact the Human Rights Commission, RCMP or Municipal Affairs depending on the nature of the complaint or allegation.

In the interest of fairness to all concerned parties, the following procedures are to be followed in reporting of allegations of breach of this Code of Conduct;

- a) An allegation must be made in writing, dated and signed by the person making it; and
- b) An allegation must contain all of the facts available at the time it is made, including how the Council Member or CAO became aware of the alleged breach of this Code of Conduct, the nature of the alleged breach of this Code of Conduct, names of witnesses, and the date, time and location of the alleged breach of this Code of Conduct; and
- c) The written allegation of breach of this Code of Conduct must be delivered, or directed to the Reeve or the CAO of the County in a confidential manner; and
- d) If the allegation of breach of this Code of Conduct is against the Reeve of the County, it is to be delivered or directed to the Deputy Reeve or CAO of the County.

Within thirty (30) days, the Reeve, or Deputy Reeve as the case may be, shall deal with the allegation at a Council meeting as an "in camera" item.

A complainant may contact the RCMP with respect to an investigation under s.122 of the *Criminal Code of Canada*, where the allegation is that a Council Member, in a matter connected to the duties of office allegedly commits fraud or a breach of trust.

A complainant may contact the RCMP with respect to an investigation under s.123 of the *Criminal Code of Canada*, where the allegation is that a Council Member, in a matter connected to the duties of office, demands, accepts, offers or agrees to accept from any person, a loan, reward, advantage or benefit of any kind.



APPENDIX "3" DISPUTE RESOLUTION PROCESS

Council Members will establish and model a respectful workplace where they will not speak disrespectfully about the organization, staff or other Members of Council.

Council Members will work to resolve conflict between one another using one or more of the following options;

- a) Council Members may first attempt to speak directly with the Council Member with whom they perceive to have a conflict/issue;
- b) Council Members may seek assistance from the Reeve or Deputy Reeve or CAO as appropriate. The Reeve or Deputy Reeve or CAO may hold a meeting with those parties directly involved in the conflict/issue to seek resolution;
- c) As a last option, Council Members may document and submit the issue for discussion with the whole of Council. Council shall consider the facts surrounding the conflict/issue, discuss the findings and make recommendations in an "in camera" meeting of Council. If required, a formal motion on the recommendation/decision can be made on the conflict/issue after coming "out of camera".



Mackenzie County

REQUEST FOR DIRECTION

Meeting:	Committee of the Whole Meeting
Meeting Date:	June 26, 2018
Presented By:	Len Racher, Chief Administrative Officer
Title:	DELEGATION Alberta Energy Regulator

BACKGROUND / PROPOSAL:

The following individuals from the Alberta Energy Regular will be present to provide an information session to Council on various topics:

- Angela Bowditch – Indigenous & Stakeholder Engagement
- Marcus Ruehl – Authorizations Senior Advisor
- Steve Thomas – New Business Capabilities Director

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

SUSTAINABILITY PLAN:

COMMUNICATION:

Author: _____ Reviewed by: _____ CAO: _____

RECOMMENDED ACTION:

Simple Majority

Requires 2/3

Requires Unanimous

For information.

Author: _____ Reviewed by: _____ CAO: _____



Mackenzie County

REQUEST FOR DIRECTION

Meeting:	Committee of the Whole Meeting
Meeting Date:	June 26, 2018
Presented By:	Bill Landiuk, Consultant
Title:	2017 and 2018 MSI Applications and Review

BACKGROUND / PROPOSAL:

Finance is providing an update of what applications have been forwarded to the Province in respect of MSI funding. The attached is a summary for both the 2017 and 2018 fiscal years. The majority of projects contained on the report were approved through the budget process.

However, due to MSI having a threshold figure of a minimum of \$221,356 per project, Finance used the available funding for other projects contained in the 2018 budget.

For example, instead of partially funding our grader replacements using MSI the full project amount was funded through MSI. Another example, instead of funding a fire truck through a reserve, MSI funding was allocated to the capital project.

End result was that the reserve was left alone to fund future capital projects.

OPTIONS & BENEFITS:

N/A

COSTS & SOURCE OF FUNDING:

N/A

SUSTAINABILITY PLAN:

N/A

Author: Bill Landiuk Reviewed by: _____ CAO: _____

COMMUNICATION:

N/A

RECOMMENDED ACTION:

- Simple Majority Requires 2/3 Requires Unanimous

For information purposes only.

Author: _____ Reviewed by: _____ CAO: _____

MSI Analysis and Review

Threshold based on

MSI Deferred - ending December 31, 2017	\$1,064,697.68	
MSI funding 2017 (includes BMTG)	3,326,807.00	\$1,941,452.00
MSI funding 2018 (includes BMTG)	1,941,552.00	2,485,562.00
MSI funding 2018 additional calculation - \$2,485,562 x 50%=	1,242,781.00	\$4,427,014.00
	\$7,575,837.68	

5% threshold is \$221,356 per MSI

2017 Projects	
	\$
Fire Truck and equipment	\$446,722.00
Packer's Road	704,000.00
Bridge Road 180	610,000.00
Teacher's Loop	266,000.00
BMTG - Bridges	608,694.00
LC Road & Street Improvements	550,000.00
	\$3,185,416.00

2018 Projects	
	\$
FV and LC road and street Improvements	\$363,550.00 *
Fire Truck and equipment	528,000.00
3 Graders	910,161.00
Street Sweeper	310,000.00
Zama Sewage Forcemain	542,500.00
Public Works Common Pool Equipment	563,400.00 **
BMTG - Roads	608,694.00
LC North and South Access Road	275,000.00
	\$4,101,305.00

Total MSI Projects \$7,286,721.00

Left over funding 289,116.68

\$7,575,837.68

PW Common Pool Equipment **

Mower	\$15,200.00
Tractor with snow blower	195,000.00
Skidsteer	52,000.00
Skidsteer	60,000.00
Backhoe	139,000.00
2 Trucks	69,000.00
Processor/splitter	33,200.00
	\$563,400.00

FV and LC road and street Improvements *

45 Avenue overlay	\$80,000.00
47 Street overlay	40,000.00
Fix hill on RR134	13,000.00
Crosswalk lights	10,550.00
46 Avenue	35,000.00
Oil Blumentort Road	185,000.00
	363,550.00

