

SUMMER VILLAGE OF NAKAMUN PARK

AGENDA

Wednesday July 19th, 2023 – at Wildwillow Enterprises Inc. Main Office (2317 Township Road 545, Lac Ste. Anne County, Alberta, T0E 1V0, East End Fire Hall of LSAC) - 2:00 P.M.

1. Call to order:
2. Agenda: a) Wednesday July 19th, 2023 Regular Council Meeting
3. Minutes: (1-4) a) Wednesday June 21st, 2023 Regular Council Meeting
b)
4. Appointment: a)
5. Bylaws/Policies: (5-35) a) Bylaw 2023-5, Councillor Code of Conduct Bylaw – RFD 2023-26 is attached for review.
b)
6. Business: (36) a) Annual Information Meeting 2023, Agenda and Preparations – RFD 2023-27 is attached for background
(37-39) b) ASVA Conference Registration 2023 – RFD 2023-28 is attached for background
(40-42) c) ABmunis Convention Registration 2023 – RFD 2023-29 is attached for background
d) Other
e) Other
f) Other
g) Other
7. Financial a) N/A
8. Councillor Reports a) Mayor
b) Deputy Mayor
c) Councillor
9. Administration Reports a) CAO

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Wednesday July 19th, 2023 – at Wildwillow Enterprises Inc. Main Office (2317 Township Road 545, Lac Ste. Anne County, Alberta, T0E 1V0, East End Fire Hall of LSAC) - 2:00 P.M.

10. Information and Correspondence

(43)

a) Government of Alberta, Municipal Affairs – June 20th, 2023 letter from Minister McIver, (re)introducing him as Minister of Municipal Affairs following the 2023 provincial election.

(44)

b) Government of Alberta, Municipal Affairs – July 7th, 2023 letter from Minister McIver confirming the 2023 grant allocations for MSI-Capital, MSI-Operating and CCBF.

(45-46)

c) Government of Alberta, Municipal Affairs – Letter from Deputy Minister of Municipal Affairs announcing the launch of the second cycle of the Municipal Accountability Program (MAP) from 2023-2027. There is no date given for when SVNP will be reviewed next, but we will advise once available.

11. Closed Meeting

a) N/A

12. Next Meeting Date

a) Schedule the next regular council meeting for August 16th, 2023, or alternate date.

13. Adjournment

Upcoming Meetings:

July 22nd, 2023 – Annual Meeting

August 16th, 2023 – Regular Meeting (Tentative)

September 20th, 2023 – Regular Meeting

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON WEDNESDAY JUNE 21st, 2023 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

	PRESENT	<p>Mayor: Marge Hanssen Deputy Mayor: Keith Pederson Councillor: Harry Kassian</p> <p>Administration: Dwight Moskalyk, CAO</p> <p>Appointments: N/A Absent: N/A</p> <p>Public Works: N/A Public at Large: N/A</p>
1.	CALL TO ORDER	Mayor Hanssen called the meeting to order at 2:02 p.m.
2.	AGENDA 78 - 23	MOVED by Deputy Mayor Pederson that the agenda for the Wednesday June 21 st , 2023 regular council meeting be approved as presented. CARRIED.
3.	MINUTES 79 - 23	MOVED by Councillor Kassian that the minutes for the Wednesday May 24 th , 2023 Regular Meeting of council be approved as presented. CARRIED.
4.	APPOINTMENT	N/A
5.	BYLAW 80 - 23	MOVED by Councillor Kassian that Policy A-PRO-FIRE-1 – The Fire Ban Declaration Policy be approved as revised and presented during the June 21 st , 2023 regular meeting. CARRIED.
6.	BUSINESS 81 - 23	MOVED by Councillor Kassian that Council authorize the attendance of council and guest to the 2023 Ponoka Stampede as invited guests of FortisAlberta with the conditions that council and guests use the FortisAlberta provided transportation from Spruce Grove. CARRIED.



MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON WEDNESDAY JUNE 21st, 2023 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

82 - 23		<p>MOVED by Deputy Mayor Hanssen that Council authorize the attendance of Mayor Hanssen, or alternate, at the July 4th, 2023 special meeting of the East End Bus Society to receive presentation of the society's financial statements for 2022.</p> <p style="text-align: right;">CARRIED.</p>
83 - 23		<p>MOVED by Mayor Hanssen that pursuant to Section 16 and Section 25 of the FOIPP Act, Council move into closed meeting at 2:25 p.m. to discuss privileged information related to review confidential matters related to the ongoing negotiations of a proposed municipal service package with Lac Ste. Anne County.</p> <p style="text-align: right;">CARRIED.</p>
Recess		<p>Mayor Hanssen called a brief recess at 2:25 p.m. to allow the public to exit the chamber.</p>
Call to Order		<p>Mayor Hanssen called the meeting back to order at 2:27 p.m.</p> <p>Participants in the closed session were: Mayor Hansen, Deputy Mayor Pederson, Councillor Kassian, and CAO Moskalyk.</p>
Recess		<p>Mayor Hanssen called a brief recess at 4:05 p.m. to allow the public to return to the chamber.</p>
Call to Order		<p>Mayor Hanssen called the meeting back to order at 4:05 p.m.</p>
84 - 23		<p>MOVED by Councillor Kassian that Council return to open public meeting at 4:06 p.m.</p> <p style="text-align: right;">CARRIED.</p>
85 - 23		<p>MOVED by Mayor Hanssen that Council authorize administration to continue negotiations with Lac Ste. Anne County on the municipal service package with an expressed interested in the selected services, as discussed, for inclusion in the next round of regional negotiations on same.</p> <p style="text-align: right;">CARRIED.</p>
86 - 23		<p>MOVED by Councillor Kassian that Council authorize administration to proceed with the awarding and engagement of the tendered services as follows:</p> <ul style="list-style-type: none"> Endless Exteriors (Estimate 1055, \$26,310, Roof Leak Repairs and Sealing); Aires Spray Foam (Estimate 1663, \$29,171.00, Spray Insulation and Thermal Barrier); Subzero Mechanical Inc. (Estimate 1260, \$11,844, Radiant Heating Supply and Install); Guy's Overhead Door Services Ltd. (Estimate 5047, \$7,238.10, Overhead Door Replacement) Suretech Electric (Quote, \$37,576, New Lighting and Electrical Work); Endless Exteriors (Estimate 1056, \$40,072, Mezzanine and Framing) In-house arrangements (\$30,000, Natural Gas Installation, Septic Install and Water Tank Supply and Install); and,

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MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON WEDNESDAY JUNE 21st, 2023 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

		proceed with the completion of the Shop Rehabilitation project as discussed with a combined project budget of \$215,000 (including contingency, to be drawn first from available capital grants and then, capital reserves if required) and a project completion date of September 30 th , 2023. CARRIED.
7.	FINANCIAL 87 -23	MOVED by Deputy Mayor Pederson that Council accept the Income and Expense Reports for the Summer Village of Nakamun park as reconciled to April 30 th , 2023, as presented. CARRIED.
8.	COUNCIL REPORTS 88 - 23	MOVED by Councillor Kassian that Council accept the Council Reports for information, as presented. CARRIED.
9.	ADMINISTRATION /PUBLIC WORKS REPORTS 89 - 23	MOVED by Deputy Mayor Pederson that Council accept the Administration and Public Works reports for information, as presented. CARRIED.
10.	INFORMATION / CORRESPONDENCE 90 - 23	MOVED by Mayor Hanssen that the following information and correspondence items be accepted as information: a) Government of Alberta, Department of Assessment – June 6 th , 2023 email and Ministerial Order 007 23 summarizing changes to the Composite Assessment Review board services, procedures, and fees. b) Government of Alberta, Municipal Affairs – May 23 rd , 2023 notice that the final item (Land Use Bylaw Revision) on the municipality’s Municipal Accountability Program list of compliance to-do’s has been received and accepted by the ministry. CARRIED.
11.	CLOSED MEETING	See Business Item 6(c)

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON WEDNESDAY JUNE 21st, 2023 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

12.	NEXT MEETING 91 - 23	MOVED by Mayor Hanssen that the next regularly scheduled meeting be held on Wednesday July 19 th , 2023 at 2:00 p.m. CARRIED.
13.	ADJOURNMENT	Mayor Hanssen declared the meeting adjourned at 5:30 p.m.

Mayor Marge Hanssen

Chief Administrative Officer Dwight Moskalyk

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Summer Village of Nakamun Park Request For Decision (RFD) 2023-26

Meeting:	Regular Council
Meeting Date:	July 19th, 2023
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	Bylaw 2023-5, Councillor Code of Conduct (Revised)
Agenda Item Number:	5(a) – Bylaw and Policy Items

BACKGROUND/PROPOSAL:

Initially incorporated into the municipal framework in 2018, with the passing of Bylaw 2018-4, the Councillor Code of Conduct is a required bylaw for municipalities in the Province of Alberta. This has been the case since the 2017 MGA revision.

Part of obligation created under the legislation is that the Code of Conduct Bylaw be reviewed at least every 4 years. We typically present the Code of Conduct Bylaw as part of the annual organizational meeting, and we will continue to do this going forward. However, we do need to pass a new bylaw this year in order to keep with the requirements of the Act.

An updated version of the Bylaw is attached for review, numbered Bylaw 2023-5. Also attached is a memorandum prepared jointly by RMA and ABMunis; this 2023 version of the memo adds some relevant context to the discussion on Councillor Code of Conducts.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Bylaw 2023-5 is meant to replace the existing Code of Conduct, Bylaw 2018-4. In reviewing the 2018-4 version, there is actually very little that need to be changed with the exception of some minor grammar and text edits, and of course a new bylaw number. Unless there is any pressing change that Council wants to consider, the 2023-5 version can be passed as presented and fulfill the requirements of the Act and the municipal obligation for this Code of Conduct Bylaw.

The RMA/ABMunis overview of the Code of Conduct gives a comprehensive assessment of the background, must-dos, and options for this piece of legislation. I encourage council to review this in conjunction with their review of the proposed bylaw.

COSTS/SOURCE OF FUNDING (if applicable)

Although there are no costs directly related to passing this bylaw, the concept of the Code of Conduct does create a cost for the municipality (for example the Office of the Integrity Commissioner). These are not "new" costs as we have been covering them in the annual budget since 2018, but they are worth reminding ourselves of at this time.

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RECOMMENDED ACTION:

1. That Council give all required readings to the proposed bylaw, Bylaw 2023-5, being a revised Councillor Code of Conduct Bylaw, at the July 19th, 2023 regular meeting of council, as presented or with amendments.

Initials show support – Reviewed By: CAO: <i>D. Moskalyk</i>
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**A BYLAW OF THE SUMMER VILLAGE OF NAKAMUN PARK, 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 Nakamun Park 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 Nakamun Park 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 Nakamun Park, 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 Nakamun Park.
- 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 Nakamun Park Code of Conduct for Members of Council, Council Committees and Other Bodies Established by Council.

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- 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 Nakamun Park.
- 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 Nakamun Park.

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.

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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 Nakamun Park 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. REPEAL

- 8.1 This Bylaw repeals the previous version of the Councillor Code of Conduct Bylaw, Bylaw 2018-4.

9. 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 ____ day of _____, 2023.

READ a second time this _____ day of _____, 2023.

UNANIMOUS CONSENT to proceed to third reading this _____ day of _____, 2023.

READ a third and final time this _____ day of _____, 2023.

SIGNED this _____ day of _____, 2023

Mayor, Marge Hansen

Chief Administrative Officer, Dwight Moskalyk

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SCHEDULE A

THE SUMMER VILLAGE OF NAKAMUN PARK 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 bylaws 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 Nakamun Park 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 ratepayers 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 Nakamun Park;
 - 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 Nakamun Park Council or the Council of another municipality, shall sign and agree to comply with the Summer Village of Nakamun Park 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 Nakamun Park, 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 Nakamun Park 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 Nakamun Park, 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 ratepayers 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 Nakamun Park 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 Nakamun Park, 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 Nakamun Park 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.** 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.
- 3.10.** 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 Nakamun Park. Providing personal comments on matters before Council, Council Committees or other bodies established by the Council on social media is inappropriate.
- 3.11.** All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 3.12.** 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.
- 3.13.** 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.

4. OBLIGATIONS OF MEMBERS

- 4.1.** 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;

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- c) Canadian Human Rights Act;
- d) Criminal Code of Canada;
- e) Freedom of Information and Protection of Privacy Act;
- f) The Summer Village of Nakamun Park Procedural Bylaw;
- g) Municipal Government Act;
- h) Occupational Health and Safety Act, Regulation and Code, including the Summer Village of Nakamun Park Health and Safety Program.

4.2. 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. This duty includes an obligation to vote on all matters for which they are present, excepting any restrictions outlined in the Municipal Government Act including those outlined pertaining to conflict of interest situations.

4.3. 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.

4.4. All Members must attend orientation or training sessions as offered by the municipality.

5. AVOIDANCE OF CONFLICTS OF INTEREST

5.1. 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.

5.2. 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.

5.3. Members shall remove themselves from the proceedings regarding any matter in which they have a pecuniary interest. For clarity, as outlined in Section 172 of the Municipal Government Act, "proceedings" includes discussion and voting on the subject matter in a meeting and "remove" means both abstaining from voting and physically vacating the meeting room for the duration of the proceedings.

5.4. 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.

5.5. 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.

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- 5.6. 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.
- 5.7. 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.

6. USE OF MUNICIPAL ASSETS AND SERVICES

- 6.1. 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.
- 6.2. 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
- 6.3. 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 or expressly in cases when the use of public assets is part of a public election forum open to all candidates and sanctioned by the municipality.
- 6.4. 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.
- 6.5. No Member shall obtain personal or financial gain or advantage through the use of municipal assets or services or from municipally developed intellectual property.

7. USE OF INFLUENCE OF OFFICE

- 7.1. 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.
- 7.2. Members shall not use their position to obtain employment or contracts with the municipality for themselves, family members or close associates.

8. ACCEPTANCE OF GIFTS OR BENEFITS

- 8.1. Acceptance of gifts or benefits by a Member shall be in accordance with federal and provincial legislation and must be accepted or reported in accordance with any Summer Village policy or procedure.
- 8.2. 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.

9. INTERACTIONS WITH MUNICIPAL STAFF

- 9.1.** Council's sole employee is the Chief Administrative Officer (CAO); Members of Council will respect the CAO's authority to direct staff.
- 9.2.** Members will treat municipal staff with dignity, understanding and respect and will adhere to any of the Summer Village of Nakamun Park policies, procedures or directives in order to ensure that the municipal work environment is free from discrimination, bullying and harassment.
- 9.3.** 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.
- 9.4.** 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.
- 9.5.** 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.

10. INTERACTIONS WITH OTHER AGENCIES OR MUNICIPALITIES AND THE PUBLIC

- 10.1.** 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 Nakamun Park policies, procedures or directives put in place to ensure that workplace environments are free from discrimination, bullying and harassment.

11. CONFIDENTIAL INFORMATION

- 11.1.** Personal information collected by the Summer Village of Nakamun Park 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).
- 11.2.** Members are encouraged to acquire an understanding of the principles of FOIPP.
- 11.3.** Members shall not release information subject to solicitor-client privilege without express authorization from Council unless required by law to do so.

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- 11.4.** 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.
- 11.5.** Members who speak or write publicly are responsible for ensuring that they do not divulge Confidential Information.
- 11.6.** 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.
- 11.7.** No Member shall use Confidential Information for personal gain or benefit, or for the personal gain or benefit of any other person or body.
- 11.8.** A Member's responsibility for maintaining confidentiality extends beyond the term of office or the period of appointment.

12. IMPLEMENTATION

- 12.1.** 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.
- 12.2.** 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.
- 12.3.** 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.
- 12.4.** 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.
- 12.5.** The process for appointing the Integrity Commissioner will be the same process as for appointments to Council Committees or other bodies established by Council.
- 12.6.** 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.
- 12.7.** 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.

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- 12.8.** 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.
- 12.9.** 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.

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SCHEDULE B

THE SUMMER VILLAGE OF NAKAMUN PARK 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 Nakamun Park, 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 Village's 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 Nakamun Park. The report will be discussed at a closed meeting session of Council. Neither the Member who is the subject of the complaint, nor

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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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RMA
RURAL MUNICIPALITIES
of ALBERTA

Councillor Codes of Conduct

*A Guide for
Municipalities*

2023 Version

The following has been prepared by Alberta Municipalities (ABmunis) and the Rural Municipalities of Alberta (RMA), in partnership with Brownlee LLP.

This Guide is an educational tool that contains general information intended to assist Councils in reviewing and updating their Code of Conduct Bylaw. This Guide is NOT a substitute for legal advice and municipalities are encouraged to consult with their legal advisors.

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Introduction

In 2018, Alberta Municipalities (ABmunis) and the Rural Municipalities of Alberta (RMA), in partnership with Brownlee LLP, first published Councillor Codes of Conduct: A Guide for Municipalities in response to legislative changes that were about to take effect in Alberta. This updated version of the Guide highlights many lessons-learned since mandatory Codes of Conduct were implemented in Alberta and provides tips (including pitfalls to avoid) and issues for Councils to consider when reviewing their Codes of Conduct.

A Brief Legislative Refresher

Section 146.1 of the *Municipal Government Act* (MGA) requires every Council in Alberta to establish, by bylaw, a Code of Conduct governing the conduct of councillors. The Code of Conduct must apply to all councillors equally. Additionally, a Council may, in its sole discretion, 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. For the purposes of this Guide, we will use the term “councillors” recognizing a Code of Conduct may apply to both councillors and members.

There is no model Code of Conduct prescribed by legislation. Instead, the *Code of Conduct for Elected Officials Regulation* (Regulation) simply mandates what topics must, at a minimum, be addressed in a Code of Conduct, namely:

- a. representing the municipality;
- b. communicating on behalf of the municipality;
- c. respecting the decision-making process;
- d. adherence to policies, procedures and bylaws;
- e. respectful interactions with councillors, staff, the public and others;
- f. confidential information;
- g. conflicts of interest;
- h. improper use of influence;
- i. use of municipal assets and services; and,
- j. orientation and other training attendance.

Additionally, every Code of Conduct must:

- a. adopt a complaint system outlining who can make complaints, the method by which complaints can be made, the process to determine a complaint’s validity, and the process to determine how sanctions will be imposed for valid complaints;
- b. incorporate by reference any matter required in the Code that is addressed or included in another bylaw; and
- c. include a provision for the review of the Code and any bylaws incorporated by reference at least once every four years from the date the Code was passed.

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The Regulation provides that a Council must consider sections 3 and 153 of the MGA when drafting their Code. A Council is prohibited from including provisions or sanctions that prevent a councillor from fulfilling their legislated duties as a councillor and a councillor may not be disqualified or removed from office for a breach of the Code. Alberta Municipal Affairs has developed an “Implementation Fact Sheet” for Codes of Conduct, which outlines the intent and rationale of each of the topics.¹

Why a Code of Conduct?

Beyond the legislative requirement to adopt a Code of Conduct, the Code of Conduct can be an effective governance tool for Council and a useful educational tool for the public. It can guide councillors in respect of how to carry out their roles and responsibilities and it can educate members of the public about the role of councillors and what the public can reasonably expect from their councillors.

A Code of Conduct establishes an agreed upon framework to guide the behaviour of councillors. by setting clear, concise and enforceable rules of conduct. Not everyone universally agrees on how councillors should be expected to behave. Reasonable people can disagree on what makes an effective councillor. One person’s view of a badly behaving councillor may be another’s highly-esteemed Council watchdog and champion of the people. Absent any agreed upon norms of behaviour, misunderstandings and frustration may ensue. A well-drafted Code of Conduct serves as the benchmark for behaviour and is the ruler by which alleged misconduct can be measured, acted upon and (hopefully) corrected.

A well drafted and considered Code of Conduct can be a useful tool to facilitate good governance, but Councils should remember that good governance cannot rely on the Code of Conduct. The Code of Conduct should compliment and reinforce principles of democracy, transparency and accountability that already exist in the MGA.

Reviewing Your Code

A Code of Conduct must be reviewed at least once every four years from the date the Code was adopted. However, beyond the minimum statutory requirement, Council may wish to consider additional reviews as appropriate and necessary to ensure the Code is relevant and enforceable.

Council may decide to bring the Code forward for review at the beginning of each Council term. This will provide an opportunity to orient the new Council regarding the current standards of behaviour expected of them, but also to consider what, if any, updates may be required or beneficial to enhance the Code. Alternatively, Council may bring the Code forward for formal review midway through its term of office. This will allow newly elected councillors, who are often overwhelmed by the sheer breadth and scope of information they are presented with and asked to retain at the beginning of their term, a chance to consider the Code after having some real Council experience. It will also allow Council as a whole to assess how they interact as a team and whether the Code needs to be revised to accommodate the team dynamic. Other Councils find it beneficial to review the Code towards the end of the term of office in the hopes of leaving

¹ See “Implementation Fact Sheet: Code for Elected Officials” at <https://open.alberta.ca/dataset/ab5db63d-302c-4c1b-b777-1eeb0fe23090/resource/7909d159-924a-4429-a3ea-062d1197e136/download/code-of-conduct-for-elected-officials.pdf>

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a better Code for their successors (although a new Council is always free to make further amendments at any time).

Of course, if relevant amendments to either the MGA or the Regulation are passed by the Legislature, the Code may need to be brought forward to ensure compliance with the updated legislative scheme. Council should provide for a review of the Code to meet the minimum legislative requirement and Council may want to provide for additional opportunities to review as needed.

Setting the Bar

A Code of Conduct is a bylaw - a legally binding and enforceable set of local rules. As such, councillors should carefully consider precisely what standards of behaviour they are prepared to accept and be held accountable to when reviewing the content of their Code of Conduct. Setting the bar too high or being overly prescriptive can trap Council in an endless cycle where standards of near perfection are bound to be breached from time to time and formal complaints are all too frequent. Conversely, setting the bar too low does little to enhance accountability and engender public trust in Council. The role of a Code of Conduct is to supplement, not replace, the legal rules and municipal policies that are already in place. The goal should be to set reasonable expectations for behaviour that are achievable and reflect community standards.

It is simply not possible, or practicable, to draft a Code of Conduct to address every possible scenario. Council should carefully consider including fewer, more general statements, with discrete prescriptions and prohibitions, as appropriate, over attempting to create an exhaustive Code by generating a voluminous list of do's and don'ts. The broader the scope of the Code and the more complexity and nuance Council introduces, the more challenging, time consuming and costly it will likely be to implement and administer the Code. For example, the more detailed and issue-specific a Code becomes, the more vulnerable the Code may be to being exploited for loopholes. Likewise, the more onerous the Code's regulation of councillor conduct becomes, the more likely the volume of complaints received will rise, whether from members of Council or members of the public, as applicable.

Drafting Code Provisions

Wherever the bar is set, Council should ensure that the standards of behaviour prescribed in the Code can be properly evaluated. This means using clear, concise language to outline objective standards of conduct. Using subjective words and phrases that are open to multiple interpretations should be avoided. For example, saying "councillors shall adequately communicate the attitudes of Council" is vague and therefore difficult to assess and enforce. Instead, it is clearer to say "councillors shall accurately communicate the position of Council".

Additionally, the Code must be internally consistent; that is, provisions within the Code cannot conflict with one another. For example, if the Code places a limit of \$100 on the acceptance of hospitality, gifts or other benefits related to the councillor's office, having a further provision requiring councillors to report to Council any gifts or benefits they receive that exceed the \$100 limits raises the question of whether such gifts may be accepted or must be declined.

Jurisdiction

When updating the Code, Council must ensure it does not exceed its jurisdiction. For example, once a councillor's term of office is over, or they resign or are removed from office by order of

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the Court, that individual is no longer subject to the Code of Conduct. As such, provisions that state a councillor will remain subject to the Code “for at least 12 months after leaving office” (or any other period of time) are invalid and of no force and effect. Council must also remain mindful that the Code does not replace existing legislation governing the conduct of councillors and that the Code must comply with the *Canadian Charter of Rights and Freedoms*. While a Code may impose reasonable limits on protected *Charter* rights and freedoms it cannot, as an example, attempt to completely extinguish a councillor’s right to freedom of expression. For example, it may be reasonable to say that councillors shall not speak for Council unless specifically authorized by Council. This is a reasonable limit because Council acts as a group and in most municipalities the chief elected official is the spokesperson of Council.

To Whom Does the Code Apply?

As noted above, a Code of Conduct must apply to all councillors equally, which includes the chief elected official. However, Council is free to decide whether to establish a Code of Conduct governing the conduct of members of Council committees and other bodies established by the Council who are not councillors. This can be done in one of two ways: (a) incorporating members of committees and other bodies who are not councillors into the Code of Conduct for councillors, as appropriate; or (b) establishing a separate and distinct Code of Conduct exclusively to govern members who are not councillors. It is critical to remember, however, that the MGA only authorizes Council to establish a Code for members of Council committees and other bodies established by the Council. In other words, Council cannot impose a Code of Conduct on members of third-party organizations that were not established by the Council even if Council has the right to appoint one or more members to the board of that organization. Third-party organizations may include regional service commissions or library boards.

Before adopting a Code of Conduct that applies to members who are not councillors, Council should carefully consider whether it is necessary or desirable to do so. Absent any Code, appointed members simply serve at the pleasure of Council, subject only to the terms and conditions of their appointment as prescribed by the terms of reference or bylaw establishing the committee or other body. Imposing a Code of Conduct on appointed members can be an effective governance tool that sets clear standards of conduct expected of all members; however, imposing rules of behaviour by way of a Code of Conduct will also necessitate some form of a complaint process with the requisite procedural fairness safeguards. Depending on the sheer number of committees and other bodies a Council has established and how many members appointed to those committees are not councillors, some Councils may struggle to administer a Code of Conduct for its unelected members.

If Council is considering expanding the Code of Conduct to include members of Council committees and other bodies established by the Council who are not councillors, a further consideration is whether to treat all committees and other bodies as the same and regulate them collectively. Specifically, the definition of “council committee” in the MGA expressly excludes an assessment review board established under section 454 or a subdivision and development appeal board established under section 627. Careful consideration should be given to whether these quasi-judicial adjudicative bodies should be treated the same as Council committees, which are typically only advisory, not decision-making bodies. Different considerations and different rules of behaviour may be appropriate for each given their distinct mandates and roles.

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Additional Topics to Consider

The Regulation specifies the bare *minimum* topics the Code must address. Additional topics to consider to address in order to enhance a Code of Conduct may include one or more of the following:

(i) Conduct at Meetings

If not already dealt with in Council's Procedure Bylaw, the Code could set out appropriate standards of behaviours expected of councillors during meetings of Council, Council committees and other bodies. Such items may include a general requirement to maintain decorum during meetings, prohibitions on the use of inappropriate, foul and abusive language and restrictions on the use of electronic devices, including the unauthorized recording of meetings, live streaming or posting on social media by councillors while the meeting is in session (e.g. live tweeting debates).

(ii) Social Media

Although a Code of Conduct may simply state that "this bylaw applies to all forms of communication", many Councils find it beneficial to expressly address the use of social media as a standalone in the Code. The sheer pervasiveness of social media in our daily lives, coupled with the unique role that elected officials play in society, can make articulating what constitutes appropriate and inappropriate use of social media a challenging topic of discussion. Council will need to balance the individual rights and autonomy of each councillor with the legitimate desire to protect the collective reputation of Council and the municipality as a whole. Individual councillors may struggle to accept that while they have a right to maintain a personal life, as a holder of public office, "councillor" is not a title they simply assume before each Council meeting and put away once the meeting is adjourned.

Basic rules of engagement may include prohibitions on obscenity, bullying, harassment, threats, knowingly posting false or misleading information and the like. Council may want to provide that disseminating or amplifying inappropriate content of third parties, including reposting, linking to, or "liking" someone else's post on a social media platform is prohibited. Many councillors are shocked to learn that reposting or retweeting someone else's defamatory post is considered to be a "publication" according to the law of defamation and can result in the councillor being held liable for damages.

Careful consideration should be given to whether councillors will be provided with official social media accounts expressly for municipal purposes while in office or if they will be left to use their own existing personal social media accounts or create new personal accounts if they so choose. If Council adopts official social media accounts for its members what rules of engagement will apply? Is it appropriate to promote a particular local business on a councillor's social media account or is that inappropriate because it may be perceived as the councillor showing favoritism to one business over another? What about use of the municipality's logo or crest on a councillor's social media? What about a councillor's personal social media accounts? Are those accounts subject to the Code? Where does Council draw the line? Are you a councillor 24/7 or does Council accept that every councillor is entitled to have a private life that is beyond the reach of Council even if "off-duty conduct" could bring Council and the municipality into disrepute? Council may also want to develop protocols about how councillors should respond to comments from residents posted on social media sites, whether these are service requests, compliments or complaints.

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(iii) Election Activities

The regulation of municipal election campaigns is governed by the *Local Authorities Election Act* (LAEA). Nevertheless, your Code may address campaign-related issues in a manner that complements the LAEA. For example, your Code may stipulate that councillors are not permitted to use the municipality's equipment and facilities for campaign-related activities. Similarly, the Code may provide that councillors may not engage municipal staff for any election-related purpose during working hours. It would also be prudent to prohibit the use of municipal websites, email and social media accounts for election campaigning, including restricting the linking of private campaign websites and social media accounts to the municipality's website. Further, your Code may stipulate that councillors are personally responsible for ensuring their compliance with all applicable election-related statutes, and therefore should not make inquiries of, or rely on municipal employees for advice and direction in this regard.

Nothing in statute prevents a sitting councillor from seeking the nomination and, if successful, running for elected office of another order of government (e.g. Member of the Legislative Assembly or Member of Parliament) while serving as a councillor. The rules simply require the councillor to resign from office if they are elected as a person cannot hold both offices concurrently. While legally it is permissible, practically speaking many issues can arise if a sitting councillor decides to run for another elected office. It is recommended that Council get out ahead of this issue and proactively address what is expected of a councillor should they find themselves in this situation. Council may want to consider including provisions in the Code that prohibit councillors from using their office as councillor or their official duties to campaign for another elected office, that require councillors to take a leave of absence to campaign, and that clarify whether councillors will continue to receive any remuneration while on a leave of absence for campaign purposes.

(iv) Gifts and Benefits

Council may wish to include provisions about the acceptance of gifts, including prizes, and hospitality in its Code, which are items closely related to the topics of "conflict of interest" and "undue influence". Councillors often receive gifts or hospitality as an incidental benefit and as a genuine token of appreciation. However, if a gift or hospitality is given, or perceived to be given, in an effort to influence, or manipulate a councillor, it may be problematic. Council may want to include provisions in its Code to clarify when acceptance of a gift or offer of hospitality is acceptable, including protocols and parameters which address the following:

- circumstances where a councillor receives a benefit from a supplier and subsequently participates in a decision involving that supplier;
- the receipt of food, alcoholic beverages, lodging, transportation and/or entertainment from third parties;
- the entitlement of councillors to accept a complementary ticket or a reduced ticket rate for events such as fundraisers, golf tournaments, concerts, sporting events, etc., and if so when and in what context;
- the use of property or facilities such as vehicles, office space, or vacation property from third parties;

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- the maximum value of gifts which may be accepted by an individual councillor; and,
- the receipt of a gift on behalf of the municipality.

It is common for Codes to recognize certain exemptions for gifts and benefits received by a councillor that “normally accompany the responsibilities of office” and are received “as an incident of protocol or social obligation”. Food and beverages consumed by a councillor at events that serve “a legitimate business purpose” is another common exception to the rule against accepting gifts, although additional parameters may be established, such as requiring a representative of the organization extending the invitation to be in attendance and/or a stipulation that the value of the food/drink be “reasonable” and the invitations “infrequent”.

As noted above, your Code may also establish reasonable monetary limits respecting the receipt of gifts and benefits from any one person or organization over the course of a specified period. Further, or in the alternative, your Code might require that councillors file an annual disclosure statement listing the gifts and benefits received during a specified period, including an approximation of their monetary value. Council may also want to address the receipt of “official gifts” received on behalf of the municipality by a councillor as a matter of protocol. The Code may, for example, clarify that such gifts are the property of the municipality and will remain with the municipality after the councillor ceases to hold office.

Before embarking on amendments to its Code in this regard, Council should thoroughly inventory the list of events councillors are routinely invited to and attend, the types of gifts and other benefits councillors have historically received and attempt to quantify the dollar values associated with the gifts, hospitality and other benefits councillors have received. Then Council should ask what legitimate business purpose was served in each case and attempt to weigh that against public perceptions and concerns regarding undue influence and conflicts of interest.

Who Can Make a Complaint?

As part of establishing a complaint system for the Code of Conduct, Council must identify who may make a complaint alleging a breach of the Code. Who may make a complaint is not prescribed in the MGA. When mandatory Codes of Conduct were first introduced in Alberta, many Councils were concerned they could be flooded with illegitimate, frivolous and vexatious complaints lodged by a small number of disgruntled residents or political rivals. As such, some Councils restricted the ability to lodge a complaint under the Code of Conduct to members of Council only. Others decided that the Code of Conduct is a document internal to the municipal corporation and limited complainants to include members of Council and staff within Administration.

Both examples are legitimate exercises of a Council’s discretion; however, experience has since shown that Councils that allowed members of the public to lodge complaints under the Code of Conduct have not been inundated with unfounded allegations of misconduct. Moreover, opening up the complaint system to include members of the public has in some cases allowed members of the public to bring forward legitimate allegations that warrant investigation without requiring a councillor to awkwardly lodge the complaint on their behalf. Similarly, allegations of inappropriate councillor conduct involving an elected official of a neighbouring municipality can more readily be dealt with when complaints may be made by any member of the public (including councillors of other municipalities).

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Regardless of what Council decides, the Code should be clear about who can file a complaint and how the complaint is filed.

Dealing with Improper Complaints

It is prudent to include a process to address frivolous, vexatious and bad faith complaints within the Code of Conduct complaint system. Not every complaint legitimately warrants investigation and having a process whereby a complaint can be initially vetted and, where appropriate, summarily dismissed without investigation or further process is an effective means of limiting the time and resources dedicated to improper complaints. Council will need to carefully consider who is authorized to initially vet a complaint to determine whether it merits investigation or not. Is this done internally by the chief elected official or the deputy chief elected official, or by a committee of Council or by Council itself? Or externally by a third-party investigator? Further, is there a common understanding of what constitutes a “frivolous”, “vexatious” or “bad faith” complaint or is there a need to expressly define these terms in the Code.

Additional clarity can be brought to the Code by also expressly addressing complaints that are clearly outside of Council’s jurisdiction. For example, the Code could provide that any complaint that is not about a current councillor, does not allege a breach of the Code of Conduct, or is covered by another applicable legislative appeal, complaint or court process will be immediately dismissed without further process.

Informal Complaint Process

The Regulation mandates that every Code of Conduct include a complaint system, but not every alleged breach of the Code may warrant a lengthy (and often costly) third-party investigation. Councils should carefully consider including an *informal complaint* process in their Code. Minor, inadvertent or first-time breaches may be addressed more efficiently and effectively through one or more of the following means:

- a one-on-one private conversation between the complainant and the councillor who is alleged to have breached the Code;
- an informal discussion among the parties, facilitated by the chief elected official or deputy if the informal complaint is about the chief elected official;
- a closed session discussion among all of Council if the complaint is internal to Council;
- the parties voluntarily agreeing to engage in some form of conflict resolution (e.g. mediation); or
- if the misconduct is admitted by the councillor in question, when confronted with the complaint, the councillor may voluntarily offer to apologize or otherwise make amends, take training, etc.

Filing a formal complaint under the Code of Conduct should, ideally, be a last resort after all other reasonable means to resolve the matter have been exhausted. That said, there are rare occasions when a single incident of misconduct, even a first instance, is so serious or the nature of the misconduct is such that it would not be reasonable or advisable to encourage, let alone require, a complainant to exhaust the informal complaint process before filing a formal

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complaint. For this reason, Councils are cautioned against mandating that a complainant must exhaust the informal complaint process before filing a formal complaint.

Formal Complaint Process

In addition to determining who is entitled to file a complaint under the Code of Conduct, Council should review its formal complaint process to ensure the procedures are clear, do not create unreasonable barriers to filing a formal complaint and provide adequate procedural fairness to any councillor against whom a complaint is made. Issues to consider may include:

- whether anonymous complaints will be accepted or whether a complaint must be signed by an identifiable individual;
- whether complaints must be made on a specific form approved by Council or whether an email or handwritten note suffice;
- whether a complaint must be filed within a specified period of time after the alleged misconduct (e.g. 30, 60, 90 days or more) to ensure complaints are dealt with in a timely manner or whether a complaint may be filed at any time; and
- whether to include provisions outlining the investigator's authority to decide on questions of jurisdiction and summarily dismiss complaints that are not about a current councillor, are not a formal complaint under the Code of Conduct or that make allegations that are more properly addressed through other applicable legislative appeals, complaint or court processes.

If the Code imposes a timeline within which a complaint must be filed it is prudent to consider giving Council, or the investigator, the authority to accept a complaint that is filed outside the time limit in specific circumstances. A delay in filing a complaint may occur in good faith, through no fault of the complainant, and it would serve the public interest to investigate the complaint even though it is, technically, filed out of time. For example, allegations of bullying, harassment or abuse may be difficult for a complainant to bring forward in a timely manner due to trauma, shame or fear of reprisals. Of course, Council will need to balance any exercise of discretion in favour of a complainant who files a late complaint against any substantial prejudice to the councillor whose conduct is in question as a result of the delay.

Who Should Investigate Complaints?

The statutory scheme does not prescribe who may investigate complaints – instead, each Council is authorized to decide this matter when establishing and reviewing its Code of Conduct complaint process. A recent Alberta Court decision does, however, provide some helpful guidance to inform Council's decision on this issue:

"The importance of transparent, accountable and trusted municipal governments would be supported by the appointment of an investigator who is, and is reasonably perceived by informed persons to be, independent and unbiased."

If Council intends to investigate complaints internally, either collectively as Council as a whole, or by assigning the role of investigator to the chief elected official, deputy chief elected official, or to a Council committee, it is critically important consider and address how Council will safeguard against any real or perceived bias inherent to an internal investigation process.

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Alternatively, engaging an independent third-party investigator can be an effective means to ensure impartiality and eliminate most allegations of bias. Due to concerns around reasonable apprehension of bias, it is not recommended that Council engage its in-house legal counsel, if such resources exist, to conduct the investigation. Likewise, caution should be exercised when engaging external legal counsel to investigate a Code of Conduct complaint if the lawyer/firm is the municipality's solicitor(s) of record and has a vested interest in maintaining and/or generating future legal work from the municipality outside of the Code of Conduct investigation.

Beyond ensuring the independence and impartiality of the investigator, Council should carefully consider the qualifications required of an investigator. For example, if Council is looking to keep investigations internal, the question to ask is whether members of Council have the requisite knowledge and training, as well as the necessary time and resources, to serve as an investigator. Investigating Code of Conduct complaints requires skills in interviewing witnesses, assessing the credibility of witnesses, gathering evidence, document review, making findings of fact, interpreting the Code and applying facts to the Code, along with investigation report writing, among other things. Considerable time is often required to conduct a thorough investigation, time which many councillors likely don't have, particularly if they're already juggling serving on Council with a full-time job, other community involvement and/or family commitments.

If Council is looking to retain an independent, third-party investigator, typical candidates usually include lawyers and consultants. The statutory scheme does not require an investigator to be a member in good standing of the Law Society of Alberta, or even legally trained, but suitably experienced lawyers will have the necessary skills to conduct an investigation, as well as the benefit of extensive knowledge of the case law and principles of statutory interpretation. That said, not every investigation necessarily requires a lawyer and the cost to engage a lawyer as an investigator may put this option out of reach for some municipalities. Among the broad spectrum of consultants, there are individuals and firms with suitable knowledge and experience to undertake investigations including, but not limited to, former police officers, human resources professionals, management consultants and the like. When selecting either a lawyer or a consultant, Council would be wise to look for firms and individuals with municipal knowledge and experience. A Council Code of Conduct investigation is not an HR investigation; councillors are not municipal employees. Similarly, councillors are not shareholder appointees to a board of directors; they are locally elected officials (i.e. politicians). Appointing an investigator who is live to these distinctions and is familiar with the MGA and the inner workings of municipalities is a real asset and will go a long way to avoiding any misapprehension or misapplication of the Code of Conduct by the investigator.

What About the Chief Administrative Officer?

Every councillor who has completed orientation training is familiar with the phrase "Council only has one employee – the Chief Administrative Officer (CAO)." The CAO *is* Council's employee and, as such, the CAO should not be tasked with conducting investigations into the conduct of the CAO's employer, effectively the members of Council. This also applies to HR staff or other staff in Administration, all of whom report up to and through the CAO.

However, the CAO still has a legitimate role to play in Council's review of the Code of Conduct and in the processing of complaints brought under the Code. The CAO is Council's chief advisor (MGA, s 207) and brings to the role a wealth of knowledge and experience that can assist Council in its decision-making processes. The CAO is also typically responsible for retaining and instructing legal counsel and otherwise procuring the services of consultants on behalf of the municipality. While the CAO should have no role in investigating and/or deciding on the

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merits of a complaint under the Code of Conduct, they may provide Council with advice on the process, assist Council in setting up a special meeting of Council to review a complaint, ensure the confidential agenda package is sent out, engage legal counsel to advise Council, retain a third-party investigator on Council's request and so on.

What Does Procedural Fairness Require?

The Supreme Court of Canada has held that administrative decision-making processes can give rise to a duty of procedural fairness. The content of this duty is "eminently variable" and the specific procedural requirements that the duty imposes are determined with reference to all of the circumstances, having regard for what are known as the *Baker Factors*:

- 1) the nature of the decision being made and the process followed in making it;
- 2) the nature of the statutory scheme;
- 3) the importance of the decision to the individual or individuals affected;
- 4) the legitimate expectations of the person challenging the decision; and
- 5) the choices of procedure made by the administrative decision maker itself.

In the context of Council Code of Conduct complaints, there is still limited case law directly on point in Alberta. However, a recent Court decision has held that such decisions are adjudicative in nature, which suggests a higher standard of procedural fairness than would be owed if Council were acting in a purely legislative capacity (e.g. passing a bylaw of general application). The Court went on to find that the nature of the statutory scheme laid out in the MGA is to maintain public confidence in municipal councils and ensure effective decision making through establishing and enforcing ethical conduct standards, which also points to a higher degree of procedural fairness. Further, the Court held that a finding of a serious ethical breach or the imposition of a serious sanction threatens a councillor's dignity (as a public figure in local politics and the impact on their reputation) and livelihood, giving rise to a higher degree of procedural fair being owed.

In general terms, the content of the duty of procedural fairness in the Code of Conduct context may include:

- adequate notice of a complaint;
- disclosure of the complaint, including any evidence gathered during the investigation;
- the right to be heard before any decision is made or sanctions imposed;
- the opportunity to respond to the complaint and the investigator's report;
- the right to an impartial decision maker; and
- the right to a timely decision.

It remains a live issue whether Council should provide written reasons for its decision on a Code of Conduct complaint. Reasons are not mandated by the MGA, but may be required as part of the duty of procedural fairness owed to the parties to a Code of Conduct complaint. Written reasons are intended to provide a transparent and intelligible justification for the decision. In the absence of written reasons being provided it may be exceedingly difficult for the parties (or a reviewing Court) to determine whether Council's decision is justified, particularly if the Council proceedings were largely conducted in a meeting closed to the public for reasons of

confidentiality. A failure to provide reasons may require the decision to be set aside and the matter remitted back to the decision maker for reconsideration and preparation of written reasons. The Alberta Ombudsman's "Administrative Fairness Guidelines"² note that Canadian courts impose a common law obligation on administrative decision-makers to provide adequate reasons for their decisions as part of the duty of fairness. Although not binding precedent here in Alberta, a recent Court decision out of Saskatchewan had this to say regarding the need for written reasons in the Code of Conduct context:

"[W]hen a decision-maker's deliberations in support of its decision are undertaken in camera - rather than through a public debate - it will be considerably more difficult for those affected by the decision to understand why the decision was made. When deliberations take place in private, as is the case here, reasons may be required to explain a decision."

Until either the MGA or Regulation is amended to clarify this issue or a binding decision from the Courts is issued, each Council will need to decide whether to impose a requirement in its Code of Conduct Bylaw that any decision on a complaint be supported by a written decision with reasons or not. Additionally, Council must consider if the reasons will be made public in all situations or only if sanctions are imposed.

Imposing Sanctions

If a formal complaint has been filed under the Code of Code and is determined to be valid then Council may, in its discretion, impose sanctions for the breach of the Code. Section 5 of the Regulation provides that sanctions may be imposed, including any of the following:

- (a) a letter of reprimand addressed to the councillor;
- (b) requesting the councillor to issue a letter of apology;
- (c) publication of a letter of reprimand or request for apology and the councillor's response;
- (d) a requirement to attend training;
- (e) suspension or removal of the appointment of a councillor as the chief elected official under section 150(2) of the Act;
- (f) suspension or removal of the appointment of a councillor as the deputy chief elected official or acting chief elected official under section 152 of the Act;
- (g) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- (h) suspension or removal from some or all council committees and bodies to which council has the right to appoint members; and
- (i) 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.

A recent Alberta Court decision held that the list of sanctions contained in the Regulation is not exhaustive. Other sanctions not contemplated in the Regulation may be justified to fulfill the object and purpose of a Code of Conduct. For example, a Code may include, and Council may impose, a communication sanction on a councillor to address the improper disclosure of confidential information or harassing of staff in order to protect the municipality's interests in confidentiality or maintain a work environment free of harassment. Such a sanction would be

² https://www.ombudsman.ab.ca/wp-content/uploads/2019/01/OMB-Administrative-Fairness-Guidebooks_web.pdf

upheld provided that it was reasonably connected to the misconduct and would not effectively prevent the councillor from performing their functions in a meaningful way. However, the Regulation is clear that Council may not impose any sanction that prevents a councillor from fulfilling the legislative duties of a councillor. Further, a councillor may not be disqualified and removed from office for a breach of the Code.

It is well established in the case law that regulatory sanctions are not intended to be punitive, but rather remedial in nature, although specific and general deterrence may be taken into account. The objective is to correct behaviour and discourage future misconduct. Sanctions should not be arbitrary; there needs to be a rational connection between the sanction being imposed and the conduct. Further, the principle of proportionality applies to sanctions; that is, the nature of the conduct and its impact must be in proportion to the penalty being imposed. A recent Alberta Court decision held:

“Imposing crushing or unfit sanctions can undermine public confidence in the institution or its processes and thereby defeat the purpose of the enforcement system...”

When Council is considering a sanction, some of the factors Council should consider include the following:

- whether it is a first-time offence or a repeated pattern of behaviour;
- the nature and severity of the breach of the Code;
- whether the breach arose inadvertently or by reason of a genuine error in judgment;
- the extent to which the behaviour is impeding the functioning of Council;
- the impact of the misconduct on the public’s image of Council; and
- any other mitigating or aggravating factors.

Council is cautioned to avoid lashing out in anger or frustration and “throwing the book” at a recalcitrant councillor found in breach of the Code. Instead, Council is encouraged to abide by the principle of progressive discipline with a view to using sanctions to correct bad behaviour; recognizing that the sanctioning tools available to Council are somewhat limited and unleashing multiple sanctions on a councillor for a first offence leaves little room for Council to address any subsequent breach down the road. Further, sanctions cannot be indefinite or subject to a discretionary term with no standards or conditions attached to the exercise of discretion. Councillors have a right to know how long a sanction will apply and exactly what, if anything, they must do in order to get out from under the effect of a sanction.

There is no statutory obligation to impose sanctions for misconduct. Whether to sanction or not is a discretionary decision of Council, although Council needs to be consistent, not selective, in its application and enforcement of the Code. It may be prudent to expressly state in the Code that Council retains discretion to not impose a sanction in a particular case even if a breach has been found. For example, for a first offence of a minor nature or in a case where the misconduct is freely admitted by the councillor and they voluntarily apologize for their misconduct or otherwise make amends, there may be no legitimate purpose served by imposing sanctions.

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Dealing with A Defiant Councillor

Councillors are entitled to vigorously defend themselves throughout the Code of Conduct complaint process. As one recent Alberta Court decision held:

“An apology can be mitigating, but a fair system of justice does not regard a failure to apologize as aggravating. [...] Forcing them to apologize on pain of a greater sanction would place them in an impossible position.”

In rare cases, however, a councillor who has been found in breach of the Code may try to wear it as a badge of honour, dig in their heels, and simply refuse to comply with any sanctions imposed. Council will likely have a pretty clear idea of how a particular councillor may react to having sanctions imposed on them and Council should carefully consider and tailor any sanctions to the individual. For example, requesting a councillor to apologize may not be an effective sanction if the councillor clearly shows no remorse and has no intention of apologizing (although Council may decide to publish the councillor's refusal to apologize). Similarly, Council may wish to reflect on whether requesting an apology may be a hollow sanction; how sincere really is an apology that has to be coerced by way of sanction?

If Council imposes a requirement that a councillor attend training, does the sanction make it clear who decides what specific training program must be completed and how course completion will be verified? If the training is not completed within the time specified does this failure to comply automatically trigger a further specified sanction or is this failure deemed to be a further breach of the Code that Council will need to consider?

Following the principle of progressive discipline will allow Council to impose a series of escalating sanctions for repeated breaches of the Code by the same councillor. For example, escalating sanctions could move from suspending the councillor from one or more Council committees to removal from one or more (or even all) committee appointments until the next organizational meeting of Council, or even for the balance of the Council term in appropriate circumstances. If it appears that a councillor may be beyond redemption under the Code of Conduct, Council may simply need to move on in the knowledge that Council is governed by the will of the majority of its members and a delinquent councillor is but one voice and one vote at the Council table. In an extreme case, steps may need to be taken to alert the Minister of Municipal Affairs of serious and/or serial misconduct by a councillor and request that the Minister undertake an inspection or inquiry into the conduct of the councillor. Further, or in the alternative, Council may determine it is in the public interest to bring an application before the Court of King's Bench for either an injunction to compel the councillor to cease their misconduct or for an order removing the councillor from office for breaching their fiduciary duty to the municipality.

Final Thoughts

It should go without saying that the Code of Conduct must not be used as a political weapon to silence or smear a political rival or to retaliate for a perceived slight (including filing a retaliatory complaint under the Code). The Code of Conduct is a governance tool and is intended to serve as one aspect of accountability both internally, as among the members of Council and as between Council and the staff in Administration, and externally, as between Council and the public at large.

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The vast majority of councillors in Alberta serve on Council out of a sense of civic duty, not as their chosen career, and may come to the role without any prior governance experience. Being a councillor can be challenging and individuals may have varied views on what the role entails and how to effectively represent their community. The Code is a governance tool which every Council can tailor to fit their local values and community to facilitate civil and, ultimately, effective governance.

An effective Code of Conduct is there to instruct councillors on the way they are to govern and conduct themselves and to educate the public on what they can reasonably expect of their elected officials. When alleged misconduct arises, the Code provides a process for complaints to be brought forward (ideally for informal resolution, if possible) and where necessary for thorough investigations to be conducted in a procedurally fair manner that respects the rights of all parties. If a breach of the Code is found, Council may impose sanctions commensurate to the misconduct in order to correct and deter bad behaviour. Councils are encouraged to embrace the Code of Conduct as an effective governance tool and continuously work to enhance and improve its Code of Conduct and ensure it meets the needs and expectations of Council and the public its members were elected to serve.

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Summer Village of Nakamun Park Request For Decision (RFD) 2023-27

Meeting:	Regular Council
Meeting Date:	July 19th, 2023
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	Annual Information Meeting 2023 Agenda Items and Preparation
Agenda Item Number:	6(a) – Business

BACKGROUND/PROPOSAL:

The Annual Information Meeting for the Summer Village is scheduled for July 22nd, 2023, 10am. Ahead of this meeting council would like to take a moment to finalize the intended agenda items and programme for the meeting.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

So far, we have a running tab of the following items for discussion during the meeting:

- a) Fire Ban Policy and Aligning with Lac Ste. Anne County, et al.
- b) WILD Water Commission, Rich Valley Truck Fill Station
- c) Shop Renovation Project
- d) Land Use Bylaw and Enforcement Discussions
- e) RCMP Presentation
- f) Trick or Treat in July Reminder
- g) (Possibly) Fire Department Presentation/Recruitment Call.

The meeting will begin at 10am, in Ted Macdonald Park. Doughnuts and water will be provided, and we will need the stage/tent/speakers set up ahead of the event. Administration will send a reminder notice of the AIM before the meeting (Friday morning probably).

If there are any other items we want to add to the discussion topics, let's settle on those so that we can draft the agenda, assign topics and prepare speaking notes for same.

COSTS/SOURCE OF FUNDING (if applicable)

Already part of the annual budget.

RECOMMENDED ACTION:

1. That Council approve of the agenda topics for the 2023 Annual Information Meeting as discussed, and authorize administration to proceed with preparing the agenda for same.

Initials show support – Reviewed By:	CAO: D. Moskalyk
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Summer Village of Nakamun Park Request For Decision (RFD) 2023-28

Meeting:	Regular Council
Meeting Date:	July 19th, 2023
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	ASVA Conference 2023, Registration
Agenda Item Number:	6(b) – Business

BACKGROUND/PROPOSAL:

The ASVA Conference registration is now open. This conference is an annual event and the 2023 is back a bit closer to home (for us) at the Royal Hotel West in Edmonton. The conference runs from October 19th through 20th.

The notice on the launch of registration is attached for review. Tickets are available through Eventbrite.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

We have discussed this generally earlier this year, but just wanting to confirm who want to be registered for this conference, and who also wants a hotel room, and for what nights. We can complete the registration process, but need to confirm these details. Also, if you require an additional banquet ticket we need to know that so we can register same.

COSTS/SOURCE OF FUNDING (if applicable)

Already part of the annual budget under the Council function.

RECOMMENDED ACTION:

1. That Council authorize the attendance of all of Council and the CAO at the 2023 ASVA conference, and authorize administration to proceed with registration as discussed, including conference registration, hotel rooms for the night(s) of _____, and up to 1 additional banquet ticket for Councillors, if requested.

Initials show support – Reviewed By:	CAO: D. Moskalyk
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Association of
SUMMER VILLAGES
OF ALBERTA



YEARS OF SUCCESS TOGETHER – ASVA'S 65th ANNUAL CONFERENCE
OCTOBER 19-20th, 2023

July 07, 2023

Dear Mayors and CAOs:

I am very pleased to let you know that **Registration for the ASVA 2023, 65th Annual Conference, is NOW OPEN!** Please join us to celebrate "65 Years of Success Together" Please note that a block of rooms has been reserved at the Royal Hotel West in Edmonton, 780-484-6000. Ask for the ASVA Group Booking.

We hope you will consider attending to learn more about the challenges that summer villages face, to share ideas and experiences and network with peers.

Please use the following link to go to our registration page:

<https://www.eventbrite.ca/e/asvas-celebrating-its-65th-annual-conference-october-19-20-2023-edm-ab-tickets-660073707227?aff=oddtcreator>

Please use the Credit Card / Debit payment method. For "job title" please indicate whether you are Mayor, Councillor and if administration staff, please enter your job title as CAO, etc. Under "organization", please indicate the name of your municipality.

Cancellations must be in writing via email to execdirector@asva.ca before September 15th, unless, otherwise stated, for a full refund, less \$50 administration fee.

By the end of August/beginning of September, we will have our final agenda posted, so please keep an eye on our website www.asva.ca at that time.

The conference begins with a breakfast buffet at 7:00 am on October 19th. The conference itself starts at 8:00 am – 3:45 pm. The Thursday night banquet starts at 6:00 pm with cocktails, dinner at 6:30 pm, with a silent auction, awards and entertainment to follow. Banquet tickets are included in the Registration Fee of \$299, but additional banquet tickets can be purchased for \$50, using the link. Friday October 20th, will kick off with a hot breakfast buffet at 8:00 am, focusing the morning on Emergency Management, with the conference ending at 12:30pm.

If you have any trouble registering or have any questions, please let me know by emailing me at info@asva.ca

Yours truly,

Kathy Krawchuk
Executive Director, ASVA

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Date Fri, 07 Jul, 23 10:01:40AM
From ASVA Exec Director
summervillages@gmail.com
To Kathy Krawchuk (execdirector@asva.ca)
execdirector@asva.ca
Subject ASVA's 65th Annual Conference Registration Is Now Open....

Good morning,

Please see the attached letter, informing the Summer Villages that the ASVA's 65th Anniversary Conference Registration for October 19-20th, is now open.

I have also attached a letter for the Mayors and CAOs to please share with their DEMS/DDEMS, inviting them to Friday October 20th morning session, focusing on Emergency Management.

A friendly reminder to please talk to your local businesses for silent auction donations. Being ASVA's 65th Anniversary Conference, we hope to make it a memorable one with your support.

Should you have any questions, please feel free to contact me.

ASVA looks forward to networking with all our peers and hope to see all of you in October.

Thank you and have a great weekend.

Kathy Krawchuk

Executive Director
Association of Summer Villages of Alberta
780-236-5456

execdirector@asva.ca

www.asva.ca



[:Summer Village's Notice ASVA Conference Registration Now Open.pdf](#) (791K)



[:DEMS, DDEMS ASVA Conference Registration Open October 20.pdf](#) (695K)

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Summer Village of Nakamun Park Request For Decision (RFD) 2023-29

Meeting:	Regular Council
Meeting Date:	July 19th, 2023
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	ABmunis Convention 2023, Registration
Agenda Item Number:	6(c) – Business

BACKGROUND/PROPOSAL:

The ABmunis Convention registration is now open. Similar to the ASVA Conference, this event is geared towards all urban municipalities in the province, and is also of interest to our rural peers. This convention is preceded by a Tradeshow and the convention itself is highlighted by a top tier lineup of municipal and political speakers, as well as industry and legal stakeholders.

The notice on the launch of registration is attached for review. Tickets are available through the ABmunis website and we can arrange registration and hotels for those wishing to attend. The convention is September 26th through 29th, and is being hosted at the Edmonton Convention Centre or virtually for those who cannot attend in person.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Again, just looking to confirm who is wanting to attend, and do you want to attend the whole event (or just the convention and not the pre-convention tradeshow). Also, do you want hotel rooms. Early bird registration is significantly less expensive but is due by August 18th, 2023 so we need to know asap in order to capitalize on those savings.

COSTS/SOURCE OF FUNDING (if applicable)

Already part of the annual budget under the Council function.

RECOMMENDED ACTION:

1. That Council authorize the attendance of all of Council and the CAO at the 2023 ABmunis Convention and Tradeshow, including registration and hotel accommodations for the night(s) of _____, Sept 2023.

Initials show support – Reviewed By:	CAO: <i>D. Moskalyk</i>
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Date Tue, 20 Jun, 23 11:20:10AM
From Cathy Heron
president@abmunis.ca
To Dwight Moskalyk
ddm@kronprinzconsulting.ca
Subject Registration open for ABmunis Convention!

Good morning,

We are excited to announce that [registration is now open](#) for the 2023 Alberta Municipalities' Convention and Trade Show! Convention will take place September 27 - 29 at the Edmonton Convention Centre, with pre-Convention sessions taking place Tuesday, September 26. Hotel room blocks are open, information is listed on our event website.

Virtual is returning for 2023

The virtual Convention will include all the main plenary components – Opening Ceremonies, keynote speakers, Minister dialogue sessions, resolutions, Premier's address - and will allow eligible elected officials the opportunity to virtually vote on resolutions and elections.

Virtual attendees will not have the ability to attend the breakout education sessions or be able to network in-person with other attendees. All slide presentations and audio from the breakout session will be recorded and will be made available to virtual attendees within two weeks of the event.

Pricing

Member In-person registration (early-bird until August 18): \$620

Member In-person registration (after early-bird): \$775

Virtual registration: \$250

What we need from you

We will hold a moment of silence during the program for elected officials or administrators that we have lost in the last year. If you have a person you would like to remember a person, please send their name to events@abmunis.ca to have them included in the 2023 In Memoriam.

And as always, we will have our flag/logo video play throughout the event. If your flag/logo has changed in the last year, please send the updated, high-resolution photo to events@abmunis.ca.

For all Convention information and updates, visit our [ABmunis Convention event page](#). If you can't find the answer to your questions, please reach out to us and we would be happy to help.

Thank you for your continued support of our events, we look forward to seeing you in Edmonton!

Cathy Heron | President

E: president@abmunis.ca
300-8616 51 Ave Edmonton, AB T6E 6E6
Toll Free: 3
10-MUNI | 877-421-6644 | www.abmunis.ca



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We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples.

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We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.

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ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Calgary-Hays*

AR111695

June 20, 2023

Dear Chief Elected Officials:

I am pleased and excited to return as the Minister of Municipal Affairs. It is an honour and a privilege to serve in this role, and I am eager to work together to build stronger, safer local communities that contribute to greater economic prosperity for all Albertans.

As Minister of Municipal Affairs, I continue to believe in the importance of supporting our local communities, as they play a significant role in creating the economic and social conditions that contribute to Alberta's vibrancy and prosperity. My ministry will continue to develop the tools, training, and programs to support fiscally responsible, accountable, and sustainable local government, and improve the long-term viability of municipalities. I am also committed to my ministry's role in providing Albertans with safe buildings, homes, and communities through the province's safety codes system.

Together, we can continue to reduce unnecessary government oversight with regulatory approaches and program delivery that emphasize outcomes, in order to attract investment, support innovation, and grow Alberta's businesses.

I look forward to once again working together to strengthen Alberta's municipalities and collaborating on areas of mutual interest.

Sincerely,

Ric McIver
Minister

cc: Chief Administrative Officers

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ALBERTA

MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Calgary-Hays*

AR111593

July 7, 2023

Her Worship Marge Hanssen
Mayor
Summer Village of Nakamun Park
PO Box 1250
Onaway AB T0E 1V0

Dear Mayor Hanssen:

Further to my predecessor's letter of March 2, 2023, a strong partnership between the province and local governments remains a key priority for the Government of Alberta. To that end, I am pleased to confirm the allocation amounts to your community for the Municipal Sustainability Initiative (MSI) Capital and Operating programs, and the Canada Community-Building Fund (CCBF) program.

For the Summer Village of Nakamun Park:

- The **2023 MSI Capital allocation is \$37,557.**
- The **2023 MSI Operating allocation is \$15,430**, double the 2022 allocation amount.
- The **2023 CCBF allocation is \$11,010.**

MSI and CCBF funding amounts for all municipalities and Metis Settlements are posted on the Government of Alberta website at open.alberta.ca/publications.

I look forward to working together with you to support your local infrastructure and operating needs, and building strong, vibrant communities across Alberta.

Sincerely,

Ric McIver
Minister

cc: Dwight Moskalyk, Chief Administrative Officer, Summer Village of Nakamun Park

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Deputy Minister
18th Floor Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4L4
Canada
Telephone: 780-427-4826
MA.DMO@gov.ab.ca

AR111594

Mr. Dwight Moskalyk
Chief Administrative Officer
Summer Village of Nakamun Park
PO Box 1250
Onoway AB T0E 1V0

Dear Mr. Moskalyk:

Subject: Municipal Accountability Program Cycle 2

As you may know, the Municipal Accountability Program (MAP) was initiated in 2018 to collaboratively foster effective local governance and build administrative capacity in Alberta's municipalities. Municipal Accountability Advisors review municipal processes and procedures to develop and enhance knowledge of mandatory legislative requirements. Through these efforts, Municipal Affairs supports Alberta municipalities with legislative compliance, and Chief Administrative Officers (CAOs) are able to confirm areas where the municipality is doing well and receive guidance on areas for improvement.

The first cycle of the program is complete, with 210 municipalities participating in a MAP review from 2018-22. The program is mandatory for municipalities with populations of 2,500 or less and may be offered to any municipality upon council request, if approved by the Minister.

I am pleased to advise Municipal Affairs is initiating the second cycle of the MAP in conjunction with continued support for municipalities to complete their remaining action plans for legislative compliance from Cycle 1. Your municipality is not included in the schedule for the 2023 program year; however, as a municipality with a population of 2,500 or less, Municipal Affairs will schedule a review within the five-year cycle between 2024 to 2027. As in the first cycle of the program, municipalities will be notified of their scheduling in advance of their review.

To ensure MAP continues to provide value to program participants and to the Ministry, the review areas in Cycle 2 have been expanded to include discretionary areas within the *Municipal Government Act*. During a MAP Cycle 2 review, the program team will work with you as the municipality's CAO to highlight the municipality's progress made through MAP Cycle 1. Additionally, the program team will assist in identifying areas to review and identify discretionary legislative provisions that apply or are likely to apply to your municipality. In your role as CAO, you will also be invited to identify other areas of focus for inclusion in the review.


.../2

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If you have any questions or concerns, or if you wish to be added to the 2023 program year, please contact a Municipal Accountability Advisor with the Municipal Capacity and Sustainability Branch of Municipal Affairs, toll-free by first dialing 310-0000, then 780-427-2225.

On behalf of Municipal Affairs, thank you for your continued participation in this program. Through our collective efforts, we will continue to proactively address legislative compliance in a collaborative and constructive manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandy Cox", with a stylized flourish at the end.

Brandy Cox
Deputy Minister

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