



**Council Ad Hoc Committee – Code of Conduct Review
Meeting Agenda for Thursday, March 25, 2021 at 10:00 a.m.
To be held electronically through the Zoom Meetings,
at the Town Office at 4512 – 46 Street, Olds, AB**

As of March 27, 2020 the *Meeting Procedures (COVID-19 Suppression) Regulation* was enacted to assist local municipal governments meet *Municipal Government Act* legislative requirements for holding meetings.

This Council Committee Meeting will be held without the public body present at meeting location and is being electronically communicated through ZOOM MEETINGS. The PUBLIC will have opportunity to HEAR the meeting by calling this number 1 587 328 1099 (within Canada) and when prompted enter the Meeting ID **837 8341 9969** and then Password **137174** to listen in to the live meeting.

1. CALL TO ORDER

A.) ADDED ITEM(s)

B.) ADOPTION OF THE AGENDA

2. ADOPTION OF PREVIOUS MINUTES

Inaugural meeting – no previous meeting minutes to adopt.

3. PRESENTATIONS AND DELEGATIONS

4. BUSINESS ARISING OUT OF THE MINUTES

5. NEW BUSINESS

5A) Start Review of:

- Council Code of Conduct Bylaw 2018-01**
- Council Policy 103C Terms of Reference**
- Council Policy 107C Elected Official Appointments**
- Council Policy 113C Public at Large Appointments**

6. ADJOURNMENT

PUBLIC INFORMATION:

Media Scrum: any questions arising from the media can be sent to our 'Communications Coordinator' at communications@olds.ca and they will be forwarded on to the person addressed.

CLOSED SESSION INFORMATION:

When Council goes into a **CLOSED SESSION**, meeting attendees have two options for continued participation in the virtual Council meeting:

- 1) You may click on the 'leave meeting' button and leave the meeting and then watch our Town of Olds Website and Facebook pages for **LIVE Updates** as to when Council will return. Administration will post when the meeting will reconvene and the meeting attendees are able to re-join the virtual meeting at that time; *or you may*

- 2) Stay online in the virtual meeting platform, and Administration will move all meeting attendees into the meeting 'waiting room', while Council is in their **CLOSED SESSION**. Once Council has returned, all meeting attendees in the 'waiting room' will be brought back into the open meeting forum.

Queries to Council can be sent via email during the Council meeting to legislative@olds.ca

TOWN OF OLDS
Bylaw 2021-05

**BEING A BYLAW OF THE TOWN OF OLDS ESTABLISHING AN ADHOC
COUNCIL COMMITTEE to Review the Code of Conduct Bylaw**

WHEREAS section 145 of the *Municipal Government Act*, RSA 2000, c. M-26 (the MGA) provides that a council may pass bylaws in relation to the establishment and functions of council committees and the procedures to be followed by council committees;

WHEREAS section 146(a) of the MGA provides that a council committee may consist entirely of councillors;

WHEREAS Council wishes to establish an Ad Hoc Council Committee to review the Code of Conduct Bylaw 2018-01; and

NOW THEREFORE the Council of the Town of Olds, in the Province of Alberta, in open meeting assembled, enacts as follows:

TITLE: This Bylaw may be referred to as the, '**Code of Conduct Review Ad Hoc Committee Bylaw.**'

Name and Composition:

1. (1) The '**Code of Conduct Review Ad Hoc Committee**' (the Committee) is established as a council committee.
- (2) There shall be a maximum of three elected officials appointed to the Code of Conduct Review Ad Hoc Committee.

Staff Support:

2. (1) The Chief Administrative Officer (CAO), or their designate, is the principal advisor to the Code of Conduct Review Ad Hoc Committee. Attendance of specific municipal staff at meetings of the Committee is at the discretion of the CAO.

Authority:

3. (1) The Code of Conduct Review Ad Hoc Committee is advisory in nature, making recommendations to Council by way of motion/resolution to Council at a regular or special council meeting on matters related to the Town of Olds Code of Conduct Bylaw and affiliated policies.

Frequency of meetings:

4. (1) Meetings will be held at the call of the Chair.
- (2) The Code of Conduct Review Ad Hoc Committee shall complete the review by June 30th, 2021.

Chairperson:

5. (1) The Chair shall be chosen amongst the appointed officials.

Regulations:

6. (1) Committee meetings are to comply with the provisions that are applicable to council committee meetings as prescribed in the MGA, as well as adhere to the Town of Olds Council and Committee Procedural Bylaw.

6. (2) The Code of Conduct Review Ad Hoc Committee meetings shall be open to the public, subject to the right of the Committee to close all or part of their meetings to the public in accordance with section 197 of the MGA.
6. (3) Delegations may make presentations to this Committee by appointment only.
6. (4) Minute recording will take place at each meeting of the Code of Conduct Review Ad Hoc Committee and will be maintained as an official record of the Town of Olds.

Mandate:

7. The Committee shall review and make recommendations to Council in the following areas:
 - (a) matters related to the Town of Olds Code of Conduct Bylaw 2018-01; and
 - (b) matters related to the Town of Olds affiliated policies related to Council and Council Committees, namely, 103C Terms of Reference, 107C Elected Official Appointments and 113C Public at Large Appointments.

Order of Business:

8. The business of the Committee intended to be dealt with shall be stated in the agenda in the following order:
 1. Call to order
 - a) Added Items
 - b) Adoption of the agenda
 2. Adoption of Previous Minutes
 3. Presentations and Delegations
 4. Business Arising Out of the Minutes
 5. New Business
 6. Adjournment

Quorum:

9. MGA quorum requirements will prevail for the Code of Conduct Review Ad Hoc Committee.

Review:

10. The Code of Conduct Bylaw is to be reviewed at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Councillors.

Effective Date:

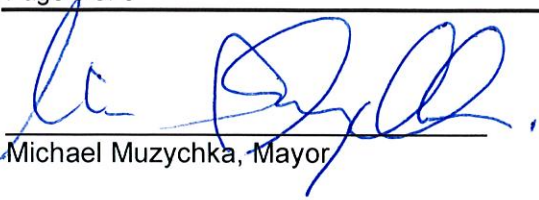
11. This Bylaw shall come into force and effect upon receipt of third reading and being duly signed.

Read a first time this eighth day of March, 2021.

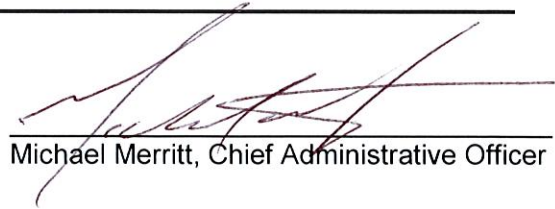
Read a second time this eighth day of March, 2021.

Received Unanimous Consent for presentation of third reading this eighth day of March, 2021.

Read a third time this eighth day of March, 2021.



Michael Muzychka, Mayor



Michael Merritt, Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this eighth day of March, 2021.

Town of Olds
Bylaw No. 2018-01

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

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

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

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

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

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

AND WHEREAS the code of conduct or any sanctions imposed under a code of conduct must not prevent a Councillor from fulfilling the legislated duties of a Councillor;

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

1. Short Title

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

2. Definitions

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

- (a) "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the Chief Administrative Officer;
- (c) "CAO" means the chief administrative officer of the Municipality, or their delegate, who as per the Municipal Government Act, is the only employee of council;
- (d) "Councillor(s)" includes the chief elected official;
- (e) "FOIP" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;



- (f) "Investigator" means an impartial third party established by Council to investigate and report on complaints, who has quasi-judicial experience (or a background in natural justice and procedural fairness);
- (g) "Municipality" means the municipal corporation of the Town of Olds;
- (h) "Receiving Body" means the Mayor and Deputy Mayor or, if the complaint is against the Mayor and/or Deputy Mayor, the Deputy Mayor and subsequent Deputy Mayor as per the Deputy Mayor rotation schedule, will be the Receiving Body.

1. Purpose and Application

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

2. Representing the Municipality

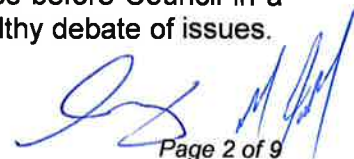
- 2.1. Councillors shall:
 - (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
 - (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
 - (c) conduct themselves in a professional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

3. Communicating on Behalf of the Municipality

- 3.1. A Councillor must not claim to speak on behalf of Council unless authorized to do so.
- 3.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 3.3. A Councillor who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Councillor personally disagrees with Council's position.
- 3.4. Councillors shall not make a statement when they know that statement is false.
- 3.5. Councillors shall not make a statement with the intent to mislead Council or members of the public.

4. Respecting the Decision-Making Process

- 4.1. The appropriate forum for healthy and fulsome debate and discussion of matters before Council is in a Council meeting.
- 4.2. All Councillors should be given a full opportunity to address issues before Council in a full, open and professional manner to encourage and promote healthy debate of issues.



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- 4.3. Decision making authority lies with Council, and not with any individual Councillor. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Councillor shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
- 4.4. Councillors shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 4.5. Councillors shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.
- 4.6. While an individual Councillor may publicly state that they did not vote with the majority of Council on an issue, this type of statement must be made in a manner that respects Council, Council's decision and other elected officials.

5. Adherence to Policies, Procedures and Bylaws

- 5.1. Councillors shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 5.2. Councillors shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
- 5.3. A Councillor must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

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

- 6.1. Councillors shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
- 6.2. Councillors shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
- 6.3. Councillors shall not use indecent, abusive, or insulting words or expressions toward another Councillor, any employee of the Municipality or any member of the public.
- 6.4. Councillors will treat all people in good faith and without bias and shall not discriminate against any person on the basis of:
 - (a) differences in personal opinions; or
 - (b) race, ancestry, place of origin, colour, ethnic origin, culture, citizenship, religion, creed, language, gender, sexual orientation, age, family status, disability or occupation.

- 6.5. Councillors shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Councillor or group of Councillors.
- 6.6. Councillors must not:
- (a) involve themselves in matters of Administration, which fall within the jurisdiction of the CAO;
 - (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
 - (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

7. Confidential Information

- 7.1. Councillors must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
- 7.2. Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
- (a) the security of the property of the Municipality;
 - (b) a proposed or pending acquisition or disposition of land or other property;
 - (c) a tender that has or will be issued but has not been awarded;
 - (d) contract negotiations;
 - (e) employment and labour relations;
 - (f) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
 - (g) law enforcement matters;
 - (h) litigation or potential litigation, including matters before administrative tribunals; and
 - (i) advice that is subject to solicitor-client privilege.
- 7.3. In the course of their duties, Councillors may also become privy to confidential information received outside of a "closed" session. Councillors must not:
- (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;
 - (b) access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Councillors duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
 - (c) use confidential information for personal benefit or for the benefit of any other individual or organization.



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8. Conflicts of Interest

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

9. Improper Use of Influence

- 9.1. Councillors shall not unduly use the influence of the Councillors office for any purpose other than for the exercise of the Councillors official duties.
- 9.2. Councillors shall not act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
- 9.3. Councillors shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 9.4. Councillors shall refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates. Councillors are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

10. Use of Municipal Assets and Services

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

11. Orientation and Other Training Attendance

- 11.1. Every Councillor must attend the orientation training offered by the Municipality within



90 days after the Councillor takes the oath of office.

- 11.2. Should an Authority, Board or Commission require orientation training, the appointed Councillors' attendance is mandatory. Attendance at additional training sessions throughout the Council term is discretionary.
- 11.3. Councillors are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.
- 11.4. Councillors shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.
- 11.5. Councillors shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 11.6. Councillors may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the hospitality, gift or benefit does not exceed \$500.00. In the event that the value of the hospitality, gift or benefit exceeds \$500.00, it must be reported to Council at the next Council meeting.
- 11.7. Gifts received by a Councillor on behalf of the Municipality as a matter of official protocol shall be left with the Municipality upon receipt of gift.

12. Complaint Process

- 12.1. Any person or any Councillor who has identified or witnessed conduct by a Councillor that the person or Councillor reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
 - (a) All complaints shall be made in writing (Appendix A: Council Code of Conduct Complaint Form) and shall be dated and signed by an identifiable individual;
 - (b) All complaints shall be addressed to the Receiving Body;
 - (c) Complaints will not be received 6 months prior to an election;
 - (d) The complaint must set out reasonable and probable grounds for the allegation that the Councillor has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
 - (e) If the facts, as reported, include the name of one or more Councillors who are alleged to be responsible for the breach of this Bylaw, the Councillor or Councillors concerned shall receive a copy of the complaint submitted to the Receiving Body;
 - (f) Upon receipt of a complaint under this Bylaw, the Receiving Body shall accept the complaint and decide whether to review the complaint. All proceedings regarding the review shall be confidential. A meeting with the Receiving Body, Councillor and complainant may occur. If the Receiving Body is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting a review, the Receiving Body may choose not to proceed further. Or, if the review has already commenced, the Receiving Body may terminate any review, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, shall be notified of the Receiving Body's decision;

- (g) The Councillor or Councillors who are alleged in the breach of this Bylaw, can respond in writing, addressed to the Receiving Body;
- (h) A determination on the validity of the complaint will be completed within thirty (30) days of receipt of the complaint.
- (i) If either the Councillor or complainant do not agree with the findings of the Receiving Body, both the Councillor and the complainant have the ability to request that their file be elevated to the Investigator;
- (j) If the Receiving Body decides to elevate the complaint, the review shall become the responsibility of an Investigator. The Receiving Body shall take such steps as it may consider appropriate, which may include seeking legal advice;
- (k) The Investigator shall conduct a closed hearing with affected parties involved. The Investigator shall, upon conclusion of the investigation, provide the Council and the Councillor who is the subject of the complaint, the results of the Investigator's investigation during a closed session. All proceedings of the Investigator regarding the investigation shall be confidential;
- (l) A Councillor who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- (m) A Councillor who is the subject of an investigation is entitled to be represented by legal counsel, at the Councillors' sole expense.
- (n) In instances reporting the misconduct to the appropriate authority if potentially criminal or against Human Rights.

13. Compliance and Enforcement

- 13.1. Councillors shall uphold the letter and the spirit and intent of this Bylaw.
- 13.2. Councillors are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 13.3. Councillors shall not:
 - (a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
 - (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 13.4. Sanctions that may be imposed on a Councillor, by Council, upon a finding that the Councillor has breached this Bylaw may include:
 - a letter of reprimand addressed to the Councillor, from the Office of the Mayor;
 - requesting the Councillor to issue a letter of apology;
 - verbal apology with all parties in the Mayor's Office;
 - public apology during a regular Council meeting;
 - requiring additional sensitivity training;
 - suspension of attendance at conferences, conventions, and special events;
 - suspension or removal of the appointment of a Councillor as the chief elected official under section 150(2) of the Act;
 - 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;
 - suspension or removal of the chief elected official's presiding duties under section 154 of the Act;



- suspension or removal from some or all Council committees and bodies to which council has the right to appoint Councillors, followed by subsequent notification to those Authorities, Boards and Commissions;
- 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;
- reporting the misconduct to Municipal Affairs;
- any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Councillor from fulfilling the legislated duties of a councillor and the sanction is not contrary to the Act;
- any retaliation against the complainant will not be tolerated and will be treated as a serious breach of the Bylaw.

- 13.4.1 The length of the aforementioned suspensions will be determined by the majority of council and shall be based on the number of times a Councillor has been considered in breach of this Bylaw as follows:
- (a) First Breach: One (1) to three (3) month suspension
 - (b) Second Breach: Three (3) to six (6) month suspension
 - (c) Third Breach: Six (6) months plus suspension

14. Review


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

READ a First time this 9th day of July 2018.

READ a Second time this 9th day of July 2018.

Received Unanimous Consent for presentation of third reading this 9th day of July, 2018

READ a Third time this 9th day of July 2018.


Michael Muzychka,
Mayor


Michael Merritt,
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 10th day of July, 2018.





Prepared By: Office of the CAO
Effective Date: Immediately

Council Approval Date: Sept. 14, 2020
Council Resolution No.: 20-327

References: Records Management Retention Schedule Bylaw
Elected Official Appointment Policy

POLICY STATEMENT

Terms of Reference are designed to define the purpose of the committee, structure, responsibilities, and guide a committees' business practices.

PURPOSE

The purpose of this policy is to have prepared and presented terms of reference for each Elected Official Committee, as well as internal administrative committees, except where that information is provided by bylaw.

SCOPE

This policy applies to all Elected Official Committees, except where information on the terms of reference information is provided by bylaw.

Committees created for administrative purposes will also utilize the Terms of Reference.

RESPONSIBILITIES

The CAO, and/or designate, shall be responsible for the implementation of this policy.

DEFINITIONS

Ad Hoc, means an Elected Official Committee with a specific task or objective, and dissolved after the completion of the task or achievement of the objective. This committee has a beginning and an end.

Authority, Board, Commission or Committee (ABCC), means a committee that is granted the authority by Council to make decisions on behalf of Council to which elected officials are appointed to at the Town of Olds Organizational Meeting.

Elected Official Committee, means an Ad Hoc or Standing Committee, or any other body established by Council. An Elected Official Committee does not include an assessment review board established under section 454 or a Subdivision and Development Appeal Board established under section 627.

Standing Committee, means an Elected Official Committee, formed to do its assigned work on an ongoing basis. This committee does not have an end date and it is formed to discuss items specific to municipal functions. (I.e. Standing Committee on Transportation)

STANDARDS:

Terms of Reference for all Elected Official Committees shall be approved by Council.

Terms of Reference are to include:

Purpose

Membership

Member Responsibilities

Frequency of Meetings

Guiding Principles

Authority

Term

Receiving Body

Resource and Budget

Approved: January 27, 2015

Amended: February 22, 2016, Motion 16-76

Amended: September 17, 2020, Motion 20-327



107C
Elected Official Appointments

Prepared By: Office of the CAO

Effective Date: June 8, 2020

Council Motion No.: 20-213

Reference: Municipal Government Act
Council Code of Conduct Bylaw
Procedural Bylaw
Records Management Retention Schedule Bylaw

POLICY STATEMENT

Members of Olds Town Council are appointed to Authorities, Boards, Commissions or Committees.

PURPOSE

To provide for the appointment of elected officials to Authorities, Boards, Commissions or Committees.

DEFINITIONS

“Ad Hoc” means a Council Committee with a specific task or objective, and dissolved after the completion of the task or achievement of the objective. This committee has a beginning and an end.

“Authority, Board, Commission or Committee” or “(ABC)” means a committee that is granted the authority by Council to make decisions on behalf of Council to which elected officials are appointed to at the Town of Olds annual Organizational Meeting.

“Conflict of Interest” is a situation in which a person or organization is involved in multiple interests, financial or otherwise, and serving one interest could involve working against another. Typically, this relates to situations in which the personal interest of an individual or organization might adversely affect a duty owed to make decisions for the benefit of a third party.

“Council Committee” means an Ad Hoc or Standing Committee, or any other body established by Council. Council Committee does not include an assessment review board established under section 454 or a Subdivision and Development Appeal Board established under section 627.

“Pecuniary Interest” means something of which could monetarily affect you, your spouse, or adult interdependent partner, or children, your parents or the parents of your spouse, or a business in which employs you or in which you have an interest.

“Standing Committee” means a Council Committee, formed to do its assigned work on an ongoing basis. This committee does not have an end date and it is formed to discuss items specific to municipal functions. (I.e. Standing Committee on Transportation)

SCOPE

This policy applies to all members of the Town of Olds Council.

RESPONSIBILITIES

Council is responsible for elected official appointments to Authorities, Boards, Commissions or Committees. All members of Council shall adhere to the Council Code of Conduct Bylaw when representing the Town of Olds.

STANDARDS

1. Council Appointments

- 1.1. Council appointments will be made annually at the Organizational Meeting.
- 1.2. Each Councillor is to submit an expression of interest pertaining to annual appointments to Authorities, Boards and Commissions to the Mayor by the end of September. This process will be the same during an election year.
- 1.3. Appointment of Council Members to Authorities, Boards, Commissions, or Committees, is coordinated by the Mayor.
- 1.4. Should there be interest from more than one Council Member to any particular Authority, Board, Commission, or Committee, appointment to said ABC will be voted upon at the Organizational Meeting.
- 1.5. A request for decision for council appointments will be prepared for presentation at the Organizational Meeting, held in accordance with the Municipal Government Act.
- 1.6. The Mayor acts as an ex-officio member of all Council Committees solely appointed by the Council of the Town of Olds as provided by the Municipal Government Act.
- 1.7. Within reasonable means, alternates appointed should attend training and the Annual General Meeting of an Authority, Board, Commission, or Committee.

Council Role

- 1.8. Council members appointed to Authorities, Boards, Commissions, or Committees containing members of the public shall not take positions on the executive of the Board or committee, and shall not make motions on subjects likely to be presented to Council for further review.
- 1.9. Council members appointed ensure that the activities of the committee do not exceed the authority of the committee granted by Council as defined by bylaw or terms of reference.
- 1.10. A member of Council on a Committee shall not be considered as an advocate for the interests of the committee and shall not be expected to present issues or recommendations to the receiving body on behalf of the committee.
- 1.11. Council members have fiduciary duties to both the Town and the body to which they were appointed and must be cognizant of the "hat" they are wearing and where their duty of loyalty and fidelity lies. Council members must act in the best interest of the town when sitting at the council table, and conversely, must act in the best interests of the Authority, Board, Commission or Committee appointed to.

Council Approval Date: August 22, 2011 [Motion 11-255](#)
Policy at the time was called *Council Committee and Appointment Policy 11-214*
Amended October 24, 2011 [Motion 11-330](#)
Amended: October 9, 2018 [Motion 18-389](#)



Prepared By: Office of the CAO

Effective Date: Sept. 14, 2020

Council Resolution No.: 20-332

References: Human Resources Canada
Elected Official Member Appointment Policy
Rewrite of Administrative Policy 302

POLICY STATEMENT

The Town of Olds values the work of volunteers to any authority, board, commission or committee that the Town of Olds manages and as such will provide a consistent and fair approach to the appointment and recognition of volunteer members.

PURPOSE

This policy is to establish a process in which the Town of Olds recruits volunteers for public-at-large appointments to various Town managed authority, board, commission or committee (ABC's) and how those volunteers will be recognized for their contribution.

SCOPE AND GUIDELINES

This policy applies to all Town of Olds residents who are eligible to be appointed to an ABC.

DEFINITIONS

"Conflict of Interest" is a situation in which a person or organization is involved in multiple interests, financial or otherwise, and serving one interest could involve working against another. Typically, this relates to situations in which the personal interest of an individual or organization might adversely affect a duty owed to make decisions for the benefit of a third party.

"Council Committee" means an Ad Hoc or Standing Committee, or any other body established by Council. Council Committee does not include an assessment review board established under section 454 or a Subdivision and Development Appeal Board established under section 627.

'Legally entitled to work in Canada' is defined by Human Resources and Skill Canada as a Canadian citizen; permanent resident; refugees in Canada to whom that status has been legally granted

"Standing Committee" means a Council Committee, formed to do its assigned work on an ongoing basis. This committee does not have an end date and it is formed to discuss items specific to municipal functions. (I.e. Standing Committee on Transportation)

'Pecuniary Interest' means something of which could monetarily affect you, your spouse, or adult interdependent partner, or children, your parents or the parents of your spouse, or a business in which employs you or in which you have an interest.

RESPONSIBILITIES

The Chief Administrative Officer is responsible to ensure the recruitment of volunteers to Town managed ABC's are performed within the terms of this policy.

STANDARDS

Public-at-Large Members are appointed to authority, boards, commissions or a committee that are granted the authority by Council to make decisions on behalf of Council to which elected officials and citizens are appointed to at the Town of Olds annual Organizational Meeting or occasionally, as required.

Authority, Board, Commission or Committee Administration

- a) A current record of all appointments to town managed authority, board, commission or committees, including term end dates and mailing address of each member is maintained by the Town Legislative Clerk.
- b) To be eligible for appointment as a public-at-large member to a Town managed ABC's , applicants must be:
 - of the full age of 16 years to 18 years of age with consent in writing from a parent or guardian; or over the age of 18 years; and
 - Canadian citizens or those legally entitled to work in Canada as defined by Human Resources Canada or a temporary visa holder or a refugee waiting for their claim for refugee status to be determined;
 - Not be an employee of the Town;
 - Not be in arrears or otherwise owing the Town;
 - Not be in litigation with the Town; and
 - Not have been convicted of an indictable offence or a criminal offence involving fraud.
- c) All appointments shall be for a two-year term except as required by statute or if the appointment is to fill a vacancy then the appointment shall be for the remainder of the two-year term. If the remainder of the two year term is less than six months the recommendation may reflect the remainder of the two year term, plus a subsequent two year term.
- d) Those volunteers seeking reappointment will be considered with all other applications received. (must re-apply).

Volunteers will be invited to the Town hosted annual Volunteer Appreciation Night and a suitable gift and Certificate of Appreciation from Town of Olds will be issued to volunteer members or members-at-large for recognition of their service on Olds Fire Departments, Council Advisory Boards, and committees. Each individual will only be entitled to receive one gift per committee which they have volunteered for.

Membership

- a) Public-at-large members are required to notify the town in writing if their place of residence changes.
- b) If a public-at-large member misses three consecutive meetings without the Chair having received notice of the members justifiable absence or, if a member misses three regular meetings the Chair of the board, committee or task force can request their resignation.
- c) Public-at-large members shall not disclose any confidential or personal information that they have access to through the performance of their duties.
- d) At the end of their appointment public-at-large members are to return all documents and other materials acquired through the performance of their duties to the Town of Olds.
- e) Public-at-large members shall not discuss or vote on any matter which they have a Pecuniary Interest of any other Conflict of Interest.
- f) In the performance of their duties public-at-large members should act with the appropriate courtesy and respect, and shall conduct themselves with decorum.