

VILLAGE OF CAROLINE
REGULAR COUNCIL MEETING AGENDA
Friday, February 19th, 2021, 10:00 am
Village of Caroline Council Chambers, 5004-50 Ave.

	<u>Page #</u>
1. CALL TO ORDER	
2. ADOPTION OF AGENDA:	
3. ADOPTION OF MINUTES:	
3.1. Council Meeting Minutes February 5th, 2021	1-3
4. DELEGATION(S):	
4.1 None	
5. STAFF REPORTS	
5.1 CAO Report	4-7
5.2 Foreman's Report	8
6. COMMITTEE & BOARD REPORTS:	
6.1 Mayor Report	
6.2 Councillor Reports	
7. BUSINESS:	
7.1 Consolidation and Revision Authority Bylaw 2021-01 - 3 rd Reading	9-13
7.2 Village Assessor Bylaw 2021-02 - 3 rd Reading	14-16
7.3 Procedural Bylaw Revisions: Bylaw 2020-003A - 3 rd Reading	17-74
8. DISCUSSION, CORRESPONDENCE, INFORMATION ITEMS:	
8.1 Letter from Reeve Sawchuk of the Municipal District of Bonnyville #87	75-76
8.2 Letter from Mayor Snodgrass of High River – 1976 Coal Development Policy	77-79
9. CLOSED SESSION	
None	
10. ADJOURNMENT	

Minutes of Regular Council Meeting of Village Council, Province of Alberta, held on February 5, 2021 at 10:00am at the Village Office, 5004-50 Avenue, Caroline, Alberta and information posted on Village Facebook Page for public live stream for attendees through <https://attendee.gotowebinar.com/registration>.

Meeting Location: 5004-50 Ave.

Virtual Attendance:

Councilors: Donavin Nichols, Mary Bugbee, Corby Parsons, Interim CAO Craig Curtis; Assistant Administrator Christina Oxley

In Person Attendance:

Mayor John Rimmer, Councilor Mary Ann Wold, Municipal Clerk Cindy Cunningham

Delegation(s): None

Public Attendees:

1. Call to Order

Mayor Rimmer called the meeting to order at 10:05 am

2. Adoption of Agenda

Motion 016 02 21

Moved by Councilor Wold to adopt Agenda as presented.

CARRIED

3. Adoption of Minutes

Motion 017 02 21

Moved by Councilor Bugbee to adopt Special Council minutes of December 28, 2020

CARRIED

Motion 018 02 21

Moved by Councilor Bugbee to adopt special council minutes of Jan 21, 2021

CARRIED

Motion 019 02 21

Councilor Nichols to change the year to 2021 and approve the council minutes as presented.

CARRIED

4. Delegation(s):

4.1 None

5. Staff Reports

5.1. CAO Report

Verbal report summary of written CAO Report.

Motion 020 02 21

Moved by Councilor Nichols to accept the CAO reports as information.

CARRIED

6. Committee & Board Reports

6.1 Mayor Report

- Steering Committee Report
- Outdoor Skating Rink
- Caroline Neighborhood place newsletter
- Solar Project
- Reinstatement of 1976 Coal Policy
- Wetlands southeast of the Village of Caroline
- End of summer street festival

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6.2 Council Reports

Councilor Bugbee

- FCSS Meeting

Councilor Nichols

- Caroline School did not get the bid for the skateboard park equipment bid so the cheque that was issued in Jan 2021 (as per Resolution #365 11 20 in Nov 2020) for \$3,000.00 has to be voided.

Councilor Wold

- Chamber meeting – Direction signs to be installed, caretaker at Burntstick Lake Campground

Councilor Parsons

- Nothing to Report

Motion 021 02 21

Moved by Councilor Wold to accept Mayor and Council reports as presented.

CARRIED

7. Business

7.1. Consolidation and Revision Authority Bylaw 2021-01

Motion 022 02 21

Moved by Councilor Bugbee that Council approve first reading to the Consolidation and Revision Authority Bylaw #2021-01.

CARRIED

Motion 023 02 21

Moved by Councilor Wold that Council approve second reading to the Consolidation and Revision Authority Bylaw #2021-01.

CARRIED

7.2. Village Assessor Bylaw 2021-02

Motion 024 02 21

Moved by Councilor Nichols that Council approve first reading of the Village Assessor Bylaw #2021-02.

CARRIED

Motion 025 02 21

Moved by Councilor Wold that Council approve second reading of the Village Assessor Bylaw #2021-02.

CARRIED

7.3. Procedural Bylaw Revisions: Bylaw 2020-003A

Motion 026 02 21

Moved by Councilor Rimmer that Council approve first reading to amending Bylaw #2020-003A.

CARRIED

Motion 027 02 21

Moved by Councilor Nichols that Council approve second reading to amending Bylaw #2020-003A.

CARRIED

8. Discussion, Correspondence, and Information Items

8.1 Regular Meeting Minutes, Rocky Senior Housing Council, November 26, 2020

8.2 Fire Chief's Report: September-December 2020

8.3 Red Deer River Watershed Alliance (Tabled at Jan 15, 2021 Council Meeting)

Motion 028 02 21

Moved by Councilor Wold to accept Information as presented.

CARRIED

Motion 029 02 21

Moved by Councilor Rimmer to enter closed session at 11:09 am

CARRIED

9. Closed Session

*For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197(2) and b) the Freedom of Information and Protection of Privacy Act, Sections 21(1)(f); 24(1)(a)(c) and (g); 25(1)(c)(ii); and 27(1)(a) (land, legal or Personnel)

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Motion 030 02 21

Moved by Councilor Rimmer to leave closed session at 11:49am

CARRIED

Motion 031 02 21

Moved by Councilor Rimmer that Council of the Village of Caroline appoint Craig Curtis as Chief Administrative Officer (CAO) effective Feb 8, 2021 under the same terms and conditions as the current agreement with the exception of the "probationary period".

CARRIED

Motion 032 02 21

Moved by Councilor Rimmer that the Council of the Village of Caroline approve the recommendations in the Closed Session report from the Interim CAO on Administrative Restructuring, dated February 5, 2021.

CARRIED

10. Adjournment

Motion 033 02 21

Moved by Councilor Parsons to adjourn the meeting.

CARRIED

Time of Adjournment: 11:53am

MAYOR

CAO

CAO REPORT

February 5th to February 19th, 2021

- As outlined in my previous reports, the primary focus of the administration in November and December was the preparation of the Interim 2021 Operating Budget and Capital Plan. This took longer than anticipated due to some errors in the source material and some difficulty adjusting past grant applications. The focus is now on completing the year end financials and the annual audit. Over the next few months, the focus will be on the new assessment roll and setting the mill rates leading to the approval of the final budget, including the Education Tax from the Province.
- The fourth Regional Study Steering Committee meeting was held virtually on January 18th. The Steering Committee approved the draft Engagement and Communications Plan for the project, with minor amendments. The Committee also directed the CAOs to co-ordinate input from their municipal representatives on the contents for the proposed project website. This is proving a challenging process and a meeting of CAOs was held on January 28th to discuss process issues. The project website, with background information, is now up and running and a virtual presentation by the consultants to the public is scheduled on February 17th.
- **I have repeated the points below as they are still relevant and relate to work over the next months.**
- The Village received a final response from the Minister of Municipal Affairs dated October 26th as a follow up to the joint meeting at AUMA. The Minister acknowledged the County and Village's desire to move forward on the amalgamation front. To this end the Province has provided an additional grant of \$75,000 "to conduct the review in a shortened time period with great efficiency and focus". The grant is conditional on the County and Village participating in "the regional governance study in good faith." The

grant will be administered by the County, so the funding does not appear in the Village's 2021 Operating Budget.

No detailed work on this project has begun. However, Village Council held a workshop to discuss the pros and cons of amalgamation. I have also met with the County CAO to discuss ways of moving forward with amalgamation.

- The Clearwater Regional Management Agency (CREMA) operates under an agreement between the County of Clearwater, the Town of Rocky Mountain House, and the Village of Caroline. The budget is shared between the three municipalities. However, the Local Authority Emergency Management Regulation requires each individual local government to have an up-to-date Emergency Plan and programs. The current agreement expires on February 20th, 2021. Negotiations were underway to renew this agreement. However, in a letter dated November 4th the town provided notice it will not be renewing the agreement and will rely on "mutual aid". This poses some challenges for the Village. I have had some preliminary discussions with the County regarding a Mutual Aid Agreement and some preliminary recommendations will be presented to Council in March.
- In previous reports, I referred to the Federal Government announcement of the Safe Restart Program to assist municipalities in dealing with the impact of Covid19. The Program is cost shared with the Provinces with a total of \$466 million for Alberta. On September 25th, the Village received the program guidelines and the Municipal Operating Support (MOST) transfer which the Village will receive. The allocation is \$56,845 which may only be used for incremental operating costs incurred due to Covid-19 response and restart. Incremental operating costs can include costs such as Personal Protective Equipment, communications, additional cleaning, supplemental staffing and supports for vulnerable populations. Operating losses due to decreases in revenue, may also be considered. Eligible expenses must be incurred between April 1st, 2020 and March 31st, 2021.

The agreement to participate in this program was signed by the Village and sent to the Province within the deadline. A report is now being prepared to outline the expenditures related to COVID19, which have already been incurred. Expenditures to date include communications equipment in the Council Chamber, additional cleaning of the offices, special provisions during

the election, PPE, and the purchase of tablets for Council to facilitate improved communications at virtual meetings.

- In June 2001 the Town, County and Village entered into an agreement to “manage, operate and administer a solid waste service” which it referred to as an “authority” but is in fact a joint venture overseen by a joint committee. The agreement did not contemplate ongoing responsibilities if the agreement was terminated.

During the course of its joint operation, the regional landfill site accepted waste from the oilfield which created revenue and enabled the partners to subsidize tipping fees.

On January 14th, 2020, the three municipalities signed an agreement to terminate the Rocky Mountain Solid Waste Authority and Service Agreement. At this time, the Village of Caroline contracted out its solid waste pickup and disposal to the private sector.

The Town and the County began negotiating a new waste agreement based on the same principles agreed upon between the parties in 2019. The concept was that the County would assume operations of the landfill and rural transfer stations and the Town would take over operation of waste and recycling services provided within the town. On January 5th, 2021, the Town announced that it would cease negotiations and pursue “a new service and waste structure for its residents.”

Over the past few months, the Town and the County have been discussing the implications of terminating the original partnership. The Village was only invited to join these discussions at a meeting on January 7th which was attended by Mayor Rimmer, Councilor Bugbee and the Interim CAO. Two draft agreements have been prepared related to distribution of assets and ongoing liability for the maintenance of the closed cells.

The agreements have been reviewed by the Village’s lawyers and discussions are ongoing.

- Last year the Municipal Accountability Review (MAP) Report identified a number of bylaw and procedural issues. The administrative response was adopted by Council and accepted by Municipal Affairs. The procedural issues have largely been corrected and following the election in October

there will be additional training for staff and Council on the interpretation of the Municipal Government and the Local Authorities Election Acts.

The administration has been working with our lawyers to address the more important issues, where the Village's bylaws do not conform with the Alberta Municipal Government Act. Three bylaws have been developed for Council's consideration, which address the majority of the outstanding issues. These are:

***Consolidation and Revision Authority Bylaw 2021-01**

This bylaw provides the CAO the authority to consolidate bylaws including amendments and deleting provisions that have been repealed.

***Village Assessor Bylaw 2021-02**

This bylaw defines the Assessor as a "designated officer", as required in the Municipal Government Act. The annual audit is also required to show the remuneration for the CAO and any designated officers.

***Procedural Bylaw Revisions: Bylaw2020-03A**

This bylaw addresses issues raised by the Province where our current bylaw (adopted by Council in March 2020) directly conflicts with the provisions in the Act. Amendments relate to issues surrounding "closed meetings" and the scheduling of regular and special Council meetings.

The first and second reading of the three bylaws were approved by Council on February 5th. The bylaws are on the Council agenda for third reading on February 19th.

Public Works Monthly Report

Jacob Tricker

Month: Jan Feb 2021

Roads and Streets: Regular street maintenance being performed, snow removal, sanding. Recently we've had extreme cold weather and have been keeping ourselves busy inside and bundling up when it is necessary to work outside.

Utilities: No reports of frozen water meters as of yet, this is a very good sign that most everyone in town is maintaining their heat tapes. We have had a few requests for water lines to be shut down. The bulk water building has had a hard time with the cold blowing winds. Public works has had a few callouts to thaw out the hose connection. We have also had call outs for frozen electronics at the lift station as the electric signal wasn't making contact, we received false alarms that the lift station was over flowing and the pumps weren't working correctly. These issues have been dealt with and remedied.

Garbage Collection: With the bitter cold the garbage collection has slowed but we are still finding our public waste bins being used.

Seasonal Maintenance: At this time of year we are performing our vehicle maintenance as needed for the equipment being used, other than this there isn't anything to prepare for outside. We have had our water and sanitary equipment recertified for another year, as well as having scheduled for our water pump motors to have a looking over and general maintenance performed.

Miscellaneous Requirements (over \$500.00):

Other: With the coming up of march we will be readying for spring thaw and freezing, our storm drains, building drains will be monitored as this happens.

2. Bylaw Revisions and Amendments

Legislative requirements: MGA 63-69, 191, and 692

1. Are revision bylaws limited to:
 - consolidation of two or more bylaws;
 - altering citation; and
 - changes that do not materially affect a bylaw (clerical, technical, grammatical, or typographical)?
2. Does the title of the bylaw indicate that it is a revision bylaw?
3. Has the CAO certified in writing the revision prior to the bylaw being given first reading?
4. How are schedules to bylaws amended (e.g., fees charges or rate schedules)?
5. Have there been amendments to a bylaw that initially required advertising?
6. Was the amending bylaw advertised?
7. Are bylaws amended or repealed in the same way as the original bylaw was enacted?

Comments/Observations: The village has not recently revised any bylaws. The village's utility rate bylaw (bylaw 2015-009), repealed and replaced bylaw 2014-002 in accordance with legislative requirements. The village's land use bylaw (bylaw 450) was consolidated up to February 2008; however, a bylaw pursuant to section 69 of the MGA to authorize a designated officer to perform the consolidation of bylaws was not available.

Meets Legislative Requirements: No

Recommendations/Action Items: If council wishes to consolidate the land use bylaw, a bylaw must be passed to authorize a designated officer, or the CAO, to perform consolidations in accordance with section 69 of the MGA.

Resources: Municipal Affairs has created a handbook that includes the procedures to pass, amend and revise bylaws: Basic Principles of Bylaws.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

A bylaw will be adopted to authorize the CAO to perform bylaw consolidations in accordance with section 69 of the MGA within 6 months.

*CONSOLIDATION AND REVISION AUTHORITY BYLAW
VILLAGE OF CAROLINE
PROVINCE OF ALBERTA*

*BEING A BYLAW OF THE VILLAGE OF CAROLINE IN THE PROVINCE OF ALBERTA, TO REVISE AND
CONSOLIDATE ANY ONE OR MORE BYLAWS OF THE VILLAGE OF CAROLINE.*

WHEREAS section 63 of the *Municipal Government Act*, RSA 2000, c M-26, and subsequent amendments thereto (the "Act"), provides that a council may by bylaw revise any one or more provisions of a bylaw of the municipality,

AND WHEREAS section 69 of the Act provides that a council may by bylaw authorize a designated officer to consolidate one ore more of the bylaws of the municipality,

NOW THEREFORE the Council of the Village of Caroline duly assembled, enacts as follows:

1. TITLE:

1.1 This Bylaw may be cited as the Consolidation and Revision Authority Bylaw.

2. DEFINITION & INTERPRETATION

2.1 In this Bylaw:

- (a) "Act" has the meaning given to it in the recitals;
- (b) "Bylaw" means this Consolidation and Revision Authority Bylaw, as amended from time to time;
- (c) "CAO" means the Chief Administrative Officer;
- (d) "Council" means the duly elected councillors of the Village being elected pursuant to the provisions of the *Local Authorities Election Act*, RSA 2000, c L-21, whose term is unexpired and who have not resigned and continue to be eligible to hold office as such pursuant to provisions of the Act and the *Local Authorities Election Act*, , RSA 2000, c L-21; and
- (e) "Village" means the corporation of the Village of Caroline and where the context so requires, means the area included within the boundaries of the Village.

3. CONSOLIDATION OF BYLAWS

3.1 The CAO is authorized to consolidate one or more of the bylaws of the Village in accordance with this Bylaw.

3.2 In consolidating a bylaw, the CAO must:

- (a) incorporate all amendments to it into one bylaw; and
- (b) omit any provision that has been repealed or that has expired.

3.3 A printed document purporting to be:

- (a) a copy of a Bylaw consolidated under this section; and

(b) printed under the authority of the CAO,

is proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it, and of the fact of the passage of the original and all amending bylaws.

4. REVISIONS OF BYLAWS

4.1 The revision of all or any of the bylaws of the Village in accordance with this Bylaw is authorized for the following:

- (a) omitting and providing for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective;
- (b) omitting, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality;
- (c) combining two (2) or more bylaws into one bylaw, divide a bylaw into two (2) or more bylaws, move provisions from one bylaw to another and create a bylaw from provisions of one or more other bylaws;
- (d) altering the citation and title of a bylaw and the numbering and arrangement of its provisions, and add, change or omit a note, heading, title, marginal note, diagram or example to a bylaw;
- (e) omitting the preamble and long title of a bylaw;
- (f) omitting forms or other material contained in a bylaw that can more conveniently be contained in a resolution, and add authority for the forms or other material to be prescribed by resolution; and
- (g) making changes, without materially affecting the bylaw in principle or substance,
 - (i) to correct clerical, technical, grammatical or typographical errors in a bylaw,
 - (ii) to bring out more clearly what is considered to be the meaning of a bylaw, or
 - (iii) to improve the expression of the law.

4.2 The title of a revised bylaw must include the words "revised bylaw".

4.3 The provisions of a revised bylaw that replace provisions of a previous bylaw, when they have the same effect, operate retrospectively as well as prospectively and are deemed to come into force on the days on which the corresponding previous bylaws came into force.

4.4 If the provisions of the revised bylaws do not have the same effect,

- (a) the provisions of the revised bylaws prevail with respect to all transactions, matters and things occurring on or after the day the revised bylaws come into force; and
- (b) the provisions of the previous bylaws prevail with respect to all earlier transactions, matters and things.

4.5 A reference in a bylaw, enactment or document to a bylaw that has been revised under section 4.1 or to a provision of a bylaw that has been revised under section 4.1 is, in respect of any

transaction, matter or thing occurring after the revised bylaw or provision, as the case may be, comes into force, to be considered as a reference to the revised bylaw or provision.

READ a FIRST time this ____ day of _____, 2021.

Mayor

CAO

READ a SECOND time this this ____ day of _____, 2021.

Mayor

CAO

READ a THIRD and FINAL time this ____ day of _____, 2021.

Mayor

CAO

VILLAGE OF CAROLINE ASSESSOR BYLAW
VILLAGE OF CAROLINE
PROVINCE OF ALBERTA

BEING A BYLAW OF THE VILLAGE OF CAROLINE IN THE PROVINCE OF ALBERTA, TO APPOINT AN ASSESSOR AS A DESIGNATED OFFICER AND ESTABLISH AND DEFINE THE DUTIES OF THE ASSESSOR.

WHEREAS pursuant to Section 210 of the *Municipal Government Act*, RSA 2000, c M-26, as amended (the "Act"), Council may by bylaw establish one or more positions to carry out the power, duties and functions of a designated officer under this bylaw;

AND WHEREAS Section 284.2 of the Act requires that an assessor be appointed as a designated officer;

NOW THEREFORE, the council of the Village of Caroline duly assembled, enacts as follows:

1. TITLE

1.1 This bylaw may be cited as the "Village of Caroline Assessor Bylaw".

2. DEFINITIONS & INTERPRETATION

2.1 In this bylaw:

- (a) ACT has the meaning given to it in the recitals;
- (b) ASSESSOR means a person who:
 - i. has the qualifications set out in the *Qualifications of Assessor Regulation*, Alta Reg 233/2005, as amended, and
 - ii. is appointed by the Village to the position of Designated Officer to carry out the duties and responsibilities of an assessor under the Act;
- (c) BYLAW means this Village of Caroline Assessor Bylaw, as amended from time to time;
- (d) CAO means the Chief Administrative Officer of the Village;
- (e) COUNCIL means, collectively, the Councillors of the Village of Caroline being elected pursuant to the provisions of the *Local Authorities Election Act*, RSA 2000, c L-21, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Act and the *Local Authorities Election Act*, RSA 2000, c L-21;
- (f) DESIGNATED OFFICER means a designated officer as defined by the Act; and
- (g) VILLAGE means the corporation of the Village of Caroline and where the context so requires, means the area included within the boundaries of the Village.

3. OFFICE

3.1 The position of Village Assessor is hereby created as a Designated Officer of the Village.

4. APPOINTMENT

4.1 The CAO will, in writing, appoint an individual and/or corporation to the position of Village Assessor.

4.2 The CAO will establish the terms and conditions of the appointment of the Village Assessor.

5. DUTIES OF VILLAGE ASSESSOR

5.1 The Village Assessor shall:

- (a) carry out the powers, duties, and functions of an Assessor as described in Parts 9, 10, 11 and 12 of the Act; and
- (b) comply with:

- i. any other applicable enactment; and
- ii. applicable bylaws, policies, procedures or guidelines passed or adopted by Council.

5.2 In addition to the powers, duties, and functions given to the Village Assessor by this Bylaw, the Village Assessor shall have such other powers, duties, and functions as may be delegated to the Village Assessor by Council or the CAO.

6. SUBDELEGATION

6.1 The Village Assessor is authorized to further delegate any of the powers, duties and functions delegated to the Village Assessor by this Bylaw, the Act or any other enactment to any employee of the Village.

7. INDEMNIFICATION

7.1 The Village shall indemnify the Village Assessor provided that the Village Assessor was acting in good faith to carry out the powers, duties, and functions given to the Village Assessor by this Bylaw, the Act, any other enactment, Council, or the CAO.

8. SEVERANCE

8.1 If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of the Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

READ a FIRST time this ____ day of February, 2021.

Mayor

CAO

READ a SECOND time this ____ day of February, 2021.

Mayor

CAO

READ a THIRD and FINAL time this ____ day of February, 2021.

Mayor

CAO

5. Regular Meeting Change Notice

Legislative requirements: MGA 193

1. Has the date, time or place of a regularly scheduled meeting been changed?
2. Was at least 24 hours' notice of the change provided to any councillors not present at the meeting at which the change was made, and to the public?

Comments/Observations: A review of the minutes of the Village of Caroline shows that the date of council meetings is periodically changed by council resolution (e.g. council resolution 196 07 19 from the July 23, 2019 meeting). When the date of the meeting is changed, notice is posted on the village website.

At the December 18, 2018 council meeting, a motion was passed to change the date of regularly scheduled meetings from the third Tuesday of each month to the second Tuesday of each month; however, a member of council was not present at the meeting at which a change was made to the regular meeting schedule. This is contrary to section 193(1) which requires all members of council to be present when the schedule of council meetings is established. Similarly, at the October 18, 2019 organizational meeting, one member of council left prior to the passing of council resolution 313 10 19 to set the date, time and location of regular council meetings.

Meets Legislative Requirements: No

Recommendations/Action Items: Moving forward, the schedule for regular council meetings must only be changed when all members of council are in attendance at the meeting which the schedule is adopted or the change in regular schedule is approved.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2226.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

Council will ensure that all its members are present if a change is proposed to a regularly schedule meeting. The Village of Caroline procedural bylaw will be amended accordingly.

3.5 Discretionary Bylaws

1. Procedural Bylaw

Legislative requirements: MGA 145

1. Does the municipality have a procedural bylaw?

Comments/Observations: The village's procedural bylaw (bylaw 2020-003) was passed on May 1, 2020. Section 7.1 b) and c) of the bylaw allows for meetings of council to be cancelled with the written consent of a majority, providing 24 hours' notice is provided to members and the public or with written consent of majority of the whole of council if 24 hours' notice is not provided to the public. It is important to note that council may only act by bylaw or resolution; therefore, to cancel a regular council meeting requires a motion of council adopted at a regular or special meeting of council that is open to the public and has a quorum present. Section 31 of the bylaw states that council may appoint such standing and special committees as are necessary and expedient for the orderly and efficient handling of the affairs of the village and shall establish the terms of reference for said committees. This is a contravention of section 145(a) of the MGA, which requires council to establish committees by bylaw. While not a contravention of the MGA, bylaw 2020-003 uses the term "in-camera" to reference portions of meetings held without the public in attendance. These should be referred to as "closed session" to be consistent with the language used in the MGA.

Meets Legislative Requirements: No

Recommendations/Action Items: The procedural bylaw must be amended or repealed and replaced to conform with the provisions of the MGA regarding cancelling meetings and the establishment of council committees.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

Amendments to the procedure bylaw will be adopted within 6 months.

*COUNCIL PROCEDURAL BYLAW
VILLAGE OF CAROLINE
PROVINCE OF ALBERTA*

BEING A BYLAW OF THE VILLAGE OF CAROLINE IN THE PROVINCE OF ALBERTA, TO DEAL WITH PROCEDURE AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF THE VILLAGE OF CAROLINE.

WHEREAS, the Municipal Government Act, being Chapter M-26 (2000), RSA and subsequent amendments thereto, provides for the regulations of the proceedings of Council and Committees thereof, to provide for dealing with petitions, remonstrance's and submissions of Council.

NOW THEREFORE, the Council of the Village of Caroline duly assembled, enacts as follows:

1.0 TITLE:

1.1 This Bylaw may be cited as the Council Procedural Bylaw.

2.0 DEFINITION & INTERPRETATION

2.1 In this Bylaw:

- (a) ACT means the Municipal Government Act, R.S.A., as amended.
- (b) ACTING MAYOR means the member selected by Council to preside at a regular meeting thereof in the absence or incapacity of both the Mayor and Deputy Mayor
- (c) AGENDA means the list and order of business items for any meeting of Council or Committees.
- (d) BYLAW means a bylaw of the Village
- (e) C.A.O. means the Chief Administrative Officer.
- (f) CHAIRPERSON means the member elected from among the members of a committee to preside at all meetings of the committee.
- (g) CLOSED MEETING is any meeting of Council where:
 - i. Members of the public are not permitted to attend the entire meeting or part of the meeting;
 - ii. The council, committee, or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct; or
 - iii. The council, committee, or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.

- (h) ~~(g)~~ COMMITTEE means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this bylaw.
- (i) ~~(h)~~ COUNCIL means the Councillors of the Village of Caroline being elected pursuant to the provisions of the Local Authorities Election Act of Alberta whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Municipal Government Act and the Local Authorities Election Act.
- (i) DEPUTY MAYOR means the member appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.
- ~~(j) IN-CAMERA means a part of the meeting that is closed to the public, which may include the presence of certain members of staff, or the public, where matters and all discussions are held in confidence by all in attendance. During in-camera sessions, there can be no resolution or bylaw passed, except a resolution to revert to a meeting held in public.~~
- (j) ~~(k)~~ MAYOR means the member of Council, duly elected and continuing to hold office that is duly appointed by council from among the councillors.
- (k) ~~(l)~~ MEMBER means a member of Council, duly elected and continuing to hold office or a Member of Committee duly appointed by Council.
- (l) ~~(m)~~ MGA means the Municipal Government Act, Chapter M-26, 2000, Revised Statutes of Alberta, with amendments in force.
- (m) ~~(n)~~ NEW BUSINESS means business dealing with a matter which has not been introduced at the same or previous meeting and of which no notice has been given of the intention to present it.
- (n) ~~(o)~~ PRESIDING OFFICER means the Mayor, Deputy Mayor, Acting Mayor or other such person selected by Council to chair the meeting as constituted by this Bylaw.
- (o) ~~(p)~~ PRIVILEGES mean the right and immunities of Council, collectively or the position and conduct of members of Council in their official character as elected representatives and a "Matter of Privilege" means any matter affecting privilege.
- (p) ~~(q)~~ PUBLIC HEARING means a meeting of Council convened to hear matters pursuant to the Act.
- (q) ~~(r)~~ QUORUM means the majority:
1. Of the valid, subsisting members of Council, or;
 2. In the case of the Committee, Board or other organized and recognized group, unless the bylaw or resolution establishing such a body specifies a different quorum, of majority of all members, unless Council provides otherwise in this Bylaw.
- (r) ~~(s)~~ SPECIAL MEETINGS mean a meeting called by the Mayor pursuant to the Act.

- (t) VILLAGE means the corporation of the Village of Caroline and where the context so requires, means the area included within the boundaries of the Village.
- (u) WRITTEN CONSENT means a document giving permission for something to happen or proposed by another must either be on paper or email.
- 2.2 Wherever this bylaw requires that a motion be made, a bylaw be passed or any other action be taken by a vote of:
- (a) A simple majority of Council, or;
 - (b) All members of Council; the requirements shall be interpreted as meaning such majority, fraction or total of the members of Council who are present and voting on the matter.
- 3.0 APPLICATION OF BYLAW
- 3.1 This bylaw applies to:
- (a) All regular and special meetings of Council, and;
 - (b) Subject to the provisions of Section 3.2 conduct of the meetings of all committees of Council.
- 3.2 Notwithstanding Section 3.1:
- (a) No motion need be seconded, and;
 - (b) Members may speak more than once to any motion or question.
- 4.0 ORGANIZATION MEETING OF COUNCIL
- 4.1 The C.A.O. shall set the time and place for the first organizational meeting of council following the general election, scheduled in accordance with the MGA.
- 4.2 At the commencement of the annual organizational meeting following an election, the C.A.O. shall call the meeting to order and shall preside over the meeting until the Councillors take the Official Oath of Office has been administered to the council and.
- 4.3 After the Mayor has been appointed by council from among the councillors, then he/she shall preside over the meeting.
- 4.4 The Council shall elect members of Council to the standing committees.
- 4.5 The Mayor shall be an ex-officio member of all standing committees without so being named, but without voting privileges.
- 4.6 All Committees and other bodies that Council is entitled to appoint shall be reviewed annually in the manner provided in this section at the time of the organizational meeting as set by the Statutes then in effect.

- 4.7 The business of Council at the organization meeting following the elections shall be limited to the calling of the meeting, administration of the Oath, introduction of new members, development of a Deputy mayor's schedule, and the election of members to act on committees, commissions, boards and other bodies on which Council is entitled to representation, and such other business as is required by the MGA.
- 4.8 The business of Council will be to appoint Signing Authority that shall be the Mayor or Deputy Mayor along with the C.A.O and/or designate.
- 4.9 Unless Council shall:
- (a) By a majority vote taken at a previous regular meeting or;
 - (b) By a unanimous vote taken at a previous special meeting to determine that a subsequent meeting of Council shall be held at a different place, all meetings of Council subsequent to the annual Organizational Meeting of Council shall be held in the Council Chambers of the Village of Caroline Administration Building located at 5004-50 Ave.
 - (c) If it is decided to hold any meeting of Council at any place other than the Council Chambers of the Village of Caroline Administration Building, the C.A.O. shall post a notice of such a change of location to the Village website and Village Office Memo Board for the meeting to be held elsewhere than the Council Chambers when the same is delivered to the members of Council pursuant to Section 16.0.
- 5.0 PLACES, DATES & TIMES OF MEETINGS
- 5.1 Subject to Sections 4.1, 4.8 and 5.2, Regular Council Meetings shall be held in the Council Chambers located at 5004-50 Avenue, Caroline, Municipal Administration Office, once or twice a month for all business of Council in accordance with the schedule of the meetings approved at the organizational meeting annually.
- (a) The following exceptions shall apply, unless Council approves otherwise:
 - i. Council may meet on the second Friday of July only;
 - ii. Council may meet on the second Friday of August only.
 - iii. Council may meet on the second Friday of December only.
 - iv. If a Regular Council Meeting falls on a statutory holiday, the meeting will take place on the next business day.
 - v. Special Council Meetings may be called and notice of such Special Meetings shall be given in accordance with the provisions of the Act and this Bylaw.
 - vi. A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of a pecuniary interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed by the Act.

- 5.2 Notwithstanding anything contained in Section 5.1, Council may by majority vote of the members present at any regular meeting of Council direct that:
- (a) The next Council meeting will be held on a day other than the date on which it would fall due;
 - (b) Any meeting of Council may commence at any other time than that set for such meeting in this Section.
- 5.3 Unless otherwise determined Council meetings shall commence at 1:00 pm and shall continue not later than 4:00 pm of the same day.
- 5.4 Notwithstanding the provisions of Section 5.3, Council may upon an affirmation vote of a majority of the members present and voting which vote subject to the provisions of Subsection 4 must be taken not later than 3:30 pm extending the meeting beyond 4:00 pm in the case of Section 5. 1 and 5.3.
- 5.5 Unless there has been a motion passed by the required majority within the prescribed time extending the Council meeting beyond 4:00 pm, all matters of business which appear on the Council agenda for a meeting and which have not been dealt with by that time shall be deemed to be tabled until the next regular meeting of Council.
- 5.6 Notwithstanding the other provisions of this Section, if no motion is passed before 3:30 pm by the required majority for extension of the meeting and if a member has risen and is addressing Council at 4:00 pm, the Mayor or other Chairperson shall, as soon as the member resumes his/ her seat, call the attention of the Council to the time and if Council thereupon considers and votes on a motion to extend the meeting, such motion shall be deemed validly put and passed or defeated, as the case may be, notwithstanding that it is later than 4:00 pm.
- 5.7 If it appears to the Mayor that any matters included in the agenda for a Council meeting which were not disposed of by the meeting prior to the adjournment thereof are of an urgent nature which requires action before the next regular meeting, he/ she shall call pursuant to the provisions of the MGA as a special meeting of Council to deal with such matters.
- 5.8 When a regular or special meeting of Council is adjourned:
- (a) In order to terminate the debate on a certain subject, or;
 - (b) The business on the agenda has been completed; it shall be deemed to be the end of that meeting and a subsequent meeting shall be considered to be a new meeting.
- 5.9 Council may by majority vote of the members present at any regular or special meeting decided to hold a special meeting at any time and place as it deems fit.
- 5.10 The Mayor may on his/her own initiative and shall, when requested by a majority of Council in writing, summon a special meeting at such time as the request of Council shall indicate.

- 5.11 The Mayor may on his/her own initiative may summon a special meeting at such time as he/ she deems fit by a notice in writing given at least 24 hours prior to the meeting and indicating in general terms the business to be transacted thereat.
- 5.12 When requested by a majority of Council in writing, the Mayor shall summon a special meeting at such time as the request of Council shall indicate, and shall notify all members of Council at least 24 hours prior to the meeting, by a notice which shall indicate:
- (a) That the meeting has been called at the request of members, and;
 - (b) The business to be transacted thereat.
- 5.13 Notwithstanding the provisions of Sections 5.1 and 5.2 the Mayor may call a special meeting of the Council upon such shorter notice, either verbal or written, as he/she deems sufficient if at least majority of the members present of Council give their consent in writing to such notice before the commencement of the meeting.
- 5.14 Except in the case of a special meeting determined at another special meeting or at a regular meeting of Council, the C.A.O. shall mail, or electronically mail, or deliver to each member, a notice of the special meeting indicating the time at which such meeting will be held and indicating the business or matter which shall be discussed thereat, so that he/she receives it at least 24 hours before the time of the special meeting.

6.0 REMOTE ATTENDANCE AT COUNCIL MEETINGS

- 6.1 Council members are permitted to participate in a Council Meeting by means of remote communication in instances when a Council member is unable to attend in person;
- (a) including electronic means of two-way communication methods such as speakerphone, Skype, or other media that provide full audio or audio and visual capability.
 - (b) for purposes of voting by a member(s) of Council, such attendance from remote location(s) shall be considered the equal of being physically present in Council Chambers, (with the exception of ~~in-camera sessions~~ Closed Meeting). When a vote is called on a motion, the member of Council who is participating by means of remote communication, shall vote verbally only after all other Councillors present have voted by a show of hands.
 - (c) if the Mayor attends by remote means, he/she may participate in discussion, but the Deputy Mayor or alternate if physically present in Council Chambers shall be the presiding officer to best facilitate an orderly and efficient meeting process.
 - (d) in all meetings involving remote attendance, the Mayor or presiding officer shall inform all present of the intent to initiate a remote communication.
 - (e) the Mayor or presiding officer shall confirm and announce to all present that they can clearly hear and as appropriately, clearly see visual contact with the Council member. The CAO shall record such confirmation in the minutes.
 - (f) Council may approve the use of remote communication for the entirety of the meeting or for a specified portion thereof.

- (g) no portion of an ~~“in-camera”~~ “Closed Meeting” session may be conducted through the use of remote communication.
- (h) if the Council, by a majority, approves use of remote communication for only a specified portion of any meeting, the Mayor or presiding officer shall announce same and, at the end of the specified section, shall clearly announce to all the close of the remote communication and shall order that the communication be stopped. The CAO shall record the beginning and ending times of such remote communication in the minutes.
- (i) in the event the remote communication link is broken or significantly degraded such that it does not meet the requirements, the Mayor or presiding officer shall confirm the loss of service and announce the close of the remote attendance. The CAO shall record such time of closure in the minutes.
- (j) any member who wishes to utilize remote communication to attend a portion or all of a Council meeting, must notify in writing or email the CAO that he or she intends to participate by means of a remote communication; and the Council member must give two (2) business days notice in order to allow necessary arrangements can be made to facilitate the remote attendance.
- (k) any Council member participating in a Council meeting by means of a remote communication facility, must ensure that they post a written notice in a prominent location near to their position, advising any members of the public present in that area that a public meeting is in progress.

7.0 ~~CANCELLATION~~ RESCHEDULING OF MEETINGS:

7.1 A Regular Council Meeting may be ~~cancelled~~ rescheduled:

- (a) by a majority of Members at a previously held meeting; or
- (b) with the written consent of a majority, providing twenty-four (24) hours' notice is provided to Members and the public; or
- (c) with the written consent of majority of the whole Council if twenty-four (24) hours' notice is not provided to the public.

The date, time, or location of a Council Meeting, may be changed by Council through resolution passed at a duly convened meeting. For greater clarity, any meeting to discuss changes to the date, time, or location of a Council Meeting may be held virtually.

7.2 A Special Meeting, called under the initiative of the Mayor, may be cancelled:

- (a) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
- (b) if less than twenty-four (24) hours' notice is provided, the Mayor may cancel with the written consent of majority of the whole Council.

7.3 A Special Meeting, requested in writing by the majority of the Members, may be cancelled:

- (a) with the written consent of the requesting Members, if twenty-four (24) hours' notice is provided to the Members and the public; or
- (b) if less than twenty-four (24) hours' notice is provided, with the written consent of majority of the whole Council.

8.0 DEPUTY MAYOR & ACTING MAYOR

- 8.1 The Council, at its organizational meeting, after election, shall determine a yearly schedule for Deputy Mayor, whereby each Councillor will cast a vote by secret ballot to determine the Deputy Mayor until the next Organizational meeting.
- 8.2 Council may at any time appoint one of its members to be an Acting Mayor in the absence of, or inability of, the Mayor and the Deputy Mayor to act.
- 8.3 Any member of Council appointed to act as the Presiding Officer, Chair, or acting Mayor of a meeting are also the signing authority for those minutes of that meeting that is chaired.

9.0 AGENDA FOR COUNCIL MEETINGS

- 9.1 The C.A.O., shall prepare an agenda which may include, but not be limited to the following categories in an order approved by the Council and C.A.O.:
 - (a) Public Hearing
 - Call to Order
 - Additions to/Adoption of the Agenda
 - Adoption of the Minutes
 - Delegation
 - Staff Reports
 - Committee and Board Reports
 - Business
 - Discussion, Correspondence, Information Items
 - ~~In Camera~~
 - Closed Meeting
 - Adjournment
 - (b) Refer to the minutes of any previous meeting or meetings which have not already been delivered to the members of Council.
 - (c) List or contain any other matter which Council may from time to time direct.

9.2 The C.A.O. shall cause the agenda to be copied and be made available to each member of Council and to the office of the C.A.O. so that it will be available not less than two full days before the time for commencement of the meeting for which it is prepared and;

(a) To all Village personnel who are entitled to receive copies thereof.

9.3 Unless Council directs otherwise, no material will be accepted which has not been included in the Agenda provided.

10.0 COMMENCEMENT OF COUNCIL MEETINGS

10.1 If there are not sufficient members assembled at the meeting to constitute a quorum within half of an hour from the time of commencement of the meeting, the C.A.O. shall cause the record to include the names of all the members present at that time and unless a special meeting be duly called in the meantime, Council shall be deemed to be adjourned until the next regular meeting.

10.2 When Council is unable to meet for want of a quorum, the agenda delivered for the proposed meeting shall be considered at the next regular meeting prior to the consideration of the agenda for the subsequent meeting or at a special meeting called for that purpose.

10.3 If there is a quorum present at the time the meeting should be called to order and the Mayor and Deputy Mayor are absent, the C.A.O. shall call the meeting to order and shall call for an Acting Mayor to be chosen by a resolution.

11.0 PRIVILEGE

11.1 When a member desires to address the Council on a matter of privilege he/ she shall be permitted to raise such question of privilege and when he/she does so, shall explain succinctly in what way the personal privilege of the member or the privilege of Council are affected.

11.2 After the member has stated the point of privilege, the Mayor or the member presiding at the meeting shall rule whether or not the matter raised is deemed to be a point of privilege.

11.3 A matter which is ruled to be a matter of privilege shall take precedence over all other matters before Council.

11.4 Where the Mayor or other presiding member has ruled that a matter raised is a matter of privilege, the member raising the same may speak on it but there shall be no debate on the matter unless a motion thereon is put to Council.

11.5 If the question of privilege concerns a situation, circumstance or event which arose between meetings of Council, the member(s) bringing the matter before Council shall do so immediately after the adoption of the minutes of the previous meeting.

12.0 CONTROL & CONDUCT OF COUNCIL MEETINGS

- 12.1 Subject to being overruled by a majority vote of members of Council which vote shall be taken without debate, the Mayor or other presiding officer shall:
- (a) Maintain order and preserve decorum of the meeting;
 - (b) Decide points of order without debate or comment other than to state the rule governing;
 - (c) Determine which member has a right to speak;
 - (d) Ensure that all Members who wish to speak on a motion have spoken and that the Members are ready to vote and shall call the vote;
 - (e) Rule when a motion is out of order, and;
 - (f) May call a member to order.
- 12.2 In the event that a member refuses to come to order as required by Section 12.1 when called to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, a member of Council, to move a resolution to remove the unruly member either for:
- (a) The balance of the meeting or until:
 - i. A time which shall be stated in the motion, or;
 - ii. The member makes an apology acceptable to Council for his/her unruly behaviour; whichever shall be the shortest time.
- 12.3 If a majority of Council votes in favour of the resolution, the Mayor or Deputy Mayor shall direct the unruly member to leave the Council Chambers and if the member refuses to leave, direct that he/ she be removed by any police constable present in the Council Chambers.
- 12.4 If after Council has directed an unruly member to leave the Council Chambers, the member so directed make an explanation and apology adequate and satisfactory to the Council, it may by majority vote of the remaining members present allow the offending member to remain in his/ her place if he/ she has not left or been removed, or to retake it if he/she has.
- 12.5 When a member wishes to speak at a Council meeting he/she shall address the Chair.
- 12.6 When a member is addressing the Chair, every other member shall:
- (a) Remain quiet, and;
 - (b) Not interrupt the speaker except on a point of order, and;
 - (c) Not carry on a private conversation, and;
 - (d) Not cross between the speaker and the chair.
- 12.7 When a member is addressing the Council he/ she shall:
- (a) Not speak disrespectfully of Her Majesty the Queen or her official representatives of government;
 - (b) Not use offensive words in referring to any member of the Council, any official or any employee of the Village;

- (c) Not reflect on any vote of council except when moving to rescind it and when so doing shall not reflect on the motives for the members who voted for the motion.
 - (e) Not shout or immoderately raise his/ her voice or use profane, vulgar or offensive language, and;
 - (f) Assume personal responsibility for any statement he/ she quoted to Council or upon request of Council, shall give the source of the information.
- 12.8 When the Mayor calls a member to order the member shall resume his/ her seat but may afterwards explain his/ her position in making the remark for which he/ she was called to order.
- 12.9 Where a member wishes to leave the Council Chambers while a meeting is in progress, he/ she shall address the Chair, excuse him/ herself and await acknowledgment before leaving his/ her place.
- 12.10 No member shall leave the Council Chambers after a question is put to vote until the vote is taken.
- 12.11 Members of the public who constitute the audience in the Council Chambers during a Council meeting:
- (a) May not address Council without permission of the Council, and;
 - (b) Shall maintain order and quiet, and;
 - (c) Shall not applaud or otherwise interrupt any speech or action of the member, or any other person addressing Council.
- 12.12 The Mayor may direct that a constable removes any person in the audience who creates a disturbance during a meeting.
- 13.0 PROCEEDINGS AT MEETINGS
- 13.1 Subject to the other provisions of this section, the order of business for a meeting shall be contained in the agenda for the meeting.
- 13.2 The order of business for a regular meeting of Council shall be determined with the adoption of the agenda.
- 13.3 If an alteration of the order of business is desired for the convenience of the meeting, Council may by a majority vote, may make any such alteration of the order of the business.
- 13.4 Notwithstanding the order of business set out in Section 13.2 hereof, where the same subject matter appears in more than one place in the same agenda unless Council by resolution otherwise determines, Council shall deal with all items on the agenda related to said subject matter at the time of the first appearance of the subject matter on the agenda.

- 13.5 The C.A.O. is causing the production of the agenda, may insert immediately following the first appearance of an item, a copy of any document dealing with the same subject matter although the said item may appear in any subsequent portion of the agenda.
- 13.6 When the C.A.O. is causing the preparation of the minutes of the Council meeting, shall note in the proper place as provided in Section 13.2 hereof, that the item listed as having been dealt with under a previous order of business was dealt with in accordance with Section 13.4.
- 13.7 A member wishing to make an inquiry for answer at a subsequent meeting shall put the inquiry in writing and shall, prior to or during the meeting, hand it to the C.A.O. who shall cause it to be read aloud to the Council.
- 13.8 The Mayor and Council by majority vote may cause the meeting of Council to be recessed for an appropriate amount of time as required.
- 14.0 RECESS
- 14.1 Any member may move that Council recess for a specific period. After the recess, business will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker.
- 14.2 A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.
- 15.0 PREVIOUS MINUTES
- 15.1 Unless requested by a majority of the members, the minutes of the previous meeting shall not be read aloud.
- 15.2 The Mayor shall present the minutes to the Council with a request for a motion adopting them.
- 15.3 If there are any corrections or if a majority of the members of Council deem any correction(s) be necessary for the accuracy of the minutes, it or they shall be incorporated therein.
- 15.4 In the event a member of Council is absent from the meeting in which minutes are passed which he/ she considers require corrections, he/ she may address the correction.
- 15.5 The C.A.O. shall cause the minutes of each Council meeting to be prepared, copied and distributed to the members of Council for the next regular meeting.
- 16.0 COMMUNICATIONS & PETITIONS
- 16.1 Where a person wishes to bring any matter to the attention of Council or to have any matter considered by Council, he/ she shall address a letter or other communication to the Council which shall:
- (a) Be printed, typewritten or fairly written;

- (b) Clearly set out the matter at issue and the request made of Council respect thereof;
 - (c) In the case of a petition, indicate in the petition if a representative wish to address Council on the subject matter of the petition;
 - (d) Be signed by the proper authorities as required by the MGA;
 - (e) In the case of a petition, set out the municipal address and legal description of property owned by each petitioner in accordance with the MGA.
- 16.2 Where a matter has been presented to Council by a person or group pursuant to Section 16.1 and/ or Section 16.1 has been dealt with by Council in any final manner and a person or group directs a letter or communication to Council on the same or substantially the same matter again within six months after the time Council so dealt with the matter, Council subject to Section 16.4 shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 16.3 Notwithstanding Section 16.2, Council by a majority vote of Council may again consider the matter at an earlier time than the time set by Section 16.2.
- 16.4 Where pursuant to the provisions of Section 16.1, a communication intended for Council is received, the C.A.O. shall then:
- (a) Include it as an item on the agenda for the next regular meeting, or;
 - (b) Refer it to the appropriate standing Committee of Council together with any necessary reports from the applicable departments.
- 17.0 PERSONS WISHING TO ADDRESS COUNCIL
- 17.1 If a representative of any group of persons wishes to address Council on a matter which is not on the agenda, Council may on a majority affirmative vote allow the representative or any other person to address it. The Mayor shall determine the amount of time required by a person/ delegation when addressing Council unless:
- (a) An applicable statute or other overriding law in force in the Province of Alberta requires a time longer than allowed, or;
 - (b) The time is extended by a majority vote of Council.
- 17.2 Subject to the provisions of the MGA, a person who wishes to make representations concerning the manner in which any matter is brought before a public hearing which may affect him/ her or any owner of land whom he/ she represents or the public at large of any local group of residents or property owner, may address Council subject to any limitations as to time and any requirements as to notice in writing which may be required by the Council pursuant to the provisions of the MGA.
- 18.0 COUNCILLOR REPORTS
- 18.1 Each Councillor will be provided a maximum of five (5) minutes for the purpose of providing a verbal update on Committees or community events in which municipal participation has been approved by Council.

- 18.2 Any action required as a result of a Councillor Report shall be brought forward as a separate business item or Notice of Motion.
- 19.0 NOTICE OF MOTION
- 19.1 A notice of motion and the substance thereof may be in writing and shall be presented at a regular meeting of Council.
- 19.2 Notwithstanding the provisions of Section 20, a member wishing to make a notice of motion instead of introducing it as provided in Section 20, may produce the motion in writing and forward it to the C.A.O. with the request it be discussed with the Mayor.
- 19.3 Upon receipt of such a notice of motion and request, the C.A.O. shall discuss the notice of motion with the Mayor who shall refer the notice of motion directly to the next regular meeting of Council.
- 20.0 MOTIONS
- 20.1 A Member who wishes to submit a motion in excess of 25 words shall do so in writing.
- 20.2 After a motion has been put forward and voted on, Council may give permission to withdraw the motion.
- 20.3 After a motion has been moved, it is the property of Council and may not be withdrawn without the consent of the majority of Council.
- 20.4 Except as elsewhere specifically provided in this bylaw, the following motions are debatable by Council:
- (a) A motion arising out of any matter of discussion item included in the agenda for the Council meeting at which it is debated;
 - (b) A motion concerning any question, matter, subject or discussion item tabled from a previous meeting of Council or tabled for a meeting at which it is discussed;
 - (c) A motion for concurrence in, rejection of, or further consideration of a report to Council or a motion arising out of any matter dealing within a report to Council;
 - (d) A motion for the second reading of a bylaw;
 - (e) A motion for the third reading of a bylaw;
 - (f) A motion for appointment of a committee, dismissal of a committee;
 - (g) A motion for the Council to go into ~~an In-Camera~~ a Closed Meeting session;
 - (h) A motion for amendment to any bylaw properly before Council or any matter arising directly out of any bylaw properly before Council;
 - (i) Such other motion made upon routine proceedings as may be required for the observance of the:

- i. Properties of the Council;
- ii. Maintenance of its authority;
- iii. Appointment or conduct of its officers;
- iv. Management of its business;
- v. Arrangements of its proceedings;
- vi. Correctness of its records;
- vii. Fixing of its sitting;
- viii. Days and times of its sittings;
- ix. Time of the meeting;
- x. Adjournment.

20.5 When a motion has been made and is being considered by Council, no member may make another motion except a motion to:

- (a) Refer the main question to some other person or group for consideration;
- (b) Amend the main question or an amendment to it;
- (c) Table the main question;
- (d) Postpone the main question until some future time;
- (e) Adjourn the meeting.

21.0 TABLING MOTIONS

21.1 A member moving a motion to table any matter, whether the matter is contained in a petition, enquiry, motion or other matter before the Council, shall include in the tabling motion:

- (a) The time at the present meeting or the date of a future regular or special meeting to which the motion is to be tabled or;
- (b) A provision that the matter is to be tabled.

21.2 A motion to table a matter shall not be debated except as to the time when Council will again consider the motion.

21.3 A matter which has been tabled to a particular date shall not be again considered by Council before the date set except on a vote of majority of the members of Council present and voting on it.

22.0 REFERRAL MOTIONS

22.1 A motion to refer a matter shall be put forth without amendment or debate.

- 22.2 A member of Council who is moving a reference motion shall be required to include the motion:
- (a) The terms of which the motion is being referred;
 - (b) The time when the reference is returnable, and;
 - (c) Whatever explanation is necessary as to the purpose of the motion.
- 22.3 Notwithstanding Section 19.2 when pursuant to the provisions of Section 19.1, when a motion to refer a matter is made, a member may ask the Mayor or other presiding officer at the Council meeting, a question relative to any of those matters which as provided in Section 19.3 may be included in a reference motion.
- 22.4 After a motion has been made notwithstanding Section 18.0 or anything elsewhere contained in this bylaw a member may with the consent of Council:
- (a) On his/ her own initiative while he/ she is speaking on the same or;
 - (b) When requested by another member speaking on the motion; change the wording on the motion or agree to change proposed by another member if the alteration does not change the intention of the motion.
- 22.5 When there is a committee appointed for a purpose, a Village department normally dealing with the subject matter of the motion, or a C.A.O. who would normally deal with such matters, Council may refer the question before it to the C.A.O. who shall have the appropriate committee, department or designate deal with the matter.
- 23.0 MOTION CONTAINING DISTINCT PROPOSITIONS
- 23.1 A motion containing several distinct propositions is not out of order for that reason alone.
- 23.2 Where a motion contains two or more propositions:
- (a) If a majority of Council so requires, or;
 - (b) If the Mayor or other officer presiding so order; Council shall vote on each proposition separately.
- 24.0 AMENDMENTS
- 24.1 Notwithstanding anything elsewhere herein contained, no amendment to a motion to:
- (a) Refer a question to some other person or body for consideration;
 - (b) Table a question;
 - (c) Postpone discussion on a matter to a stated time;
 - (d) Adjourn a meeting, or;
 - (e) For the first reading of a bylaw; shall be made.

- 24.2 While a motion is under discussion by Council, a member may not move an amendment:
- (a) Which does not relate to the subject matter of the principal motion, or;
 - (b) Is directly contrary to the principal motion.
- 24.3 Where an amendment has been moved to a motion which is under discussion, an amendment to the amendment may be moved but no further amendment may be moved to the amendment or to the principal question until after the amendment to the amendment is voted upon.
- 24.4 A member who moved a motion may not move an amendment to it.
- 24.5 The Mayor or other presiding officer shall not put the principal motion under debate until all amendments to it have been put and voted upon.
- 24.6 When all amendments are voted upon the Mayor or other presiding officer shall put the principal motion incorporating therein any amendments already adopted.
- 25.0 MOTION OUT OF ORDER
- 25.1 When a motion is out of order the Mayor or other presiding officer shall so advise the Council and shall cite the rule or authority applicable thereto.
- 25.2 Any member of Council may raise the question of whether or not a motion is in order.
- 26.0 DEBATE ON MOTION
- 26.1 Except as otherwise provided in this Section, no member may speak more than twice on any motion.
- 26.2 Notwithstanding Section 24.1 a member after receiving permission from the Mayor or other person presiding at the meeting, may speak in explanation of a material part of his/her speech which has been misquoted or misunderstood but he/ she may not introduce any new matter and there shall be no debate on the explanation.
- 26.3 Notwithstanding Section 24.1, a member who has moved a substantive motion, other than a motion:
- (a) To approve or accept a recommendation in another report made to Council, or;
 - (b) To appoint or instruct a committee, or;
 - (c) That the main question before the Council be immediately put to a vote; may speak in reply to close the debate after all other members of Council have been given an opportunity to speak.
- 26.4 Notwithstanding Section 24.1, before the debate has been closed and the question called on a motion and when another member does not have the floor, a member may during the debate:
- (a) Ask a question which relates directly to the debate, contains no argument and introduces no new material on the motion, or;

- (b) Request that the motion or a part thereof be read aloud.
- 26.5 Unless Council by a majority vote shall extend the time, no member thereof shall speak longer than:
 - (a) Five minutes on any original motion before Council, or;
 - (b) Three minutes on any amendment to an original motion before Council.
- 26.6 If the Mayor wishes to join in the debate on a question or motion properly before Council, he/she shall vacate the Chair and request the Deputy Mayor or some other member of Council take the Chair.
- 27.0 VOTING ON MOTIONS
- 27.1 When a member who has moved a motion closed the debate, the Mayor shall put the motion to a vote.
- 27.2 Votes on all motions must be taken as follows:
 - (a) The Presiding Officer must declare the motion and call for the vote;
 - (b) Members must:
 - i. vote by a show of hands, or
 - ii. vote verbally if unable to show hands.
 - (c) The Presiding Officer must state the names of those voting against the motion and declare the result of the vote.
 - (d) The names of those Members who voted against the motion shall be recorded as opposed within the minutes.
- 27.3 When a motion has been declared put to a vote, no member shall debate further on the question or speak any words except to request that the motion be read aloud.
- 27.4 When the Mayor or presiding officer is of the opinion that a motion is unacceptable or contrary to the rules of procedure and privilege, he/she shall appraise the members present immediately.
- 27.5 Should a member(s) present disagree with the Chairperson's ruling on a prepared motion, the Chairperson will immediately call for a show of hands of the member(s) who support the opinion of the Chair and who are opposed and the majority result will determine if the proposed motion is put to a vote.
- 27.6 Unless excused from voting by resolution of a majority of Council, or unless he/ she is disqualified from voting by reason of a direct or indirect pecuniary interest, the Mayor when present, and each Councillor present, shall vote on every division on every motion before Council.
- 27.7 No member who is absent from the Council Chambers when the vote is put and either:
 - (a) The C.A.O. has begun to poll the members if a voice vote is being taken, or;

(b) The decision is made to take a recorded vote;

shall enter the Council Chambers or attempt to vote and therefore he/ she cannot vote on the matter.

27.8 Whenever a statute of the Province of Alberta, regulation made thereunder, or this or another bylaw of the Village requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation or bylaw.

27.9 If any member of the Council should call for a poll of the members for a recorded vote prior to the vote being taken on a motion, the names of those who voted for and those who voted against the motion shall be entered in the minutes.

28.0 RECONSIDERING & RESCINDING A MOTION

28.1 When a Councillor wishes to reconsider, alter or rescind any motion already passed or action taken at a previous meeting and when such matter does not appear on the agenda, he/ she shall bring the matter before Council.

28.2 Where a matter on which Council has made a previous motion or taken a previous action is properly before Council as provided in this Section, Council may by a simple majority pass a motion which alters, rescinds or conflicts with any previous action taken or motion made without specifying that the previous motion or action is being altered or rescinded and the provisions of such motion shall override the provisions of any previous motion with which they conflict.

28.3 Notwithstanding anything provided in this Section where pursuant to any motion duly passed by Council, the Village has a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the liability or obligation.

29.0 MOTION TO ADJOURN

29.1 A member may move a motion to adjourn the meeting at any time except when:

- (a) Another member is in possession of the floor;
- (b) The members are voting;
- (c) Council is in ~~an In-Camera~~ a Closed Meeting session, or;
- (d) A previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.

29.2 A motion to adjourn shall be put without comment or debate.

30.0 ~~IN-CAMERA~~ CLOSED MEETING SESSION

- 30.1 Subject to the provision of Section 20.4 and unless otherwise determined by Council, upon the passing of a motion that the Council enter into ~~an In-Camera~~ a Closed Meeting session, the Mayor shall be the Chairperson thereof and shall maintain order in the ~~In-Camera~~ Closed Meeting session.
- 30.2 Subject to the provisions of Section 11.0, the rules of order for the conduct of a meeting of Council shall apply to the proceedings held ~~In-Camera~~ in a Closed Meeting.
- 30.3 Council has no power in ~~an In-Camera~~ a Closed Meeting session to pass any bylaw or resolution apart from the resolution necessary to revert back to an open meeting.
- 30.4 Should a member of Council wish to raise a discussion item that falls within sections 16 – 29 of the Freedom of Information and Protection of Privacy Act, RSA 2000 and relates to a matter that is being discussed in public session, a member shall call for a motion to go ~~in-camera~~ into a Closed Meeting to discuss the element related to sections 16 – 29 of FOIPP. Members of the public will be asked to exit Council Chambers.

31.0 COMMITTEES

- 31.1 Council may ~~appoint such standing and special committees as are necessary and expedient for the orderly and efficient handling of the affairs of the Village and shall establish~~ establish Council committees and other bodies as necessary under the Act and shall determine the Terms of Reference for said Committees:
- 31.2 The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 31.3 When establishing a Committee, Council must adopt a Terms of Reference for the Committee that:
- (a) Names it;
 - (b) Establishes membership, purpose and authority;
 - (c) Sets the term or directs that the committee exists on an on-going basis at the pleasure of Council; and
 - (d) Allocates any necessary budget or other resources.
- 31.4 The size of a quorum required for a meeting of a special or standing committee shall be determined on the number of members specifically named to the committee only.
- 31.5 Unless Council designated the Chairperson of a committee, designates who shall select the Chairperson or the manner in which he/ she shall be selected, each standing or special committee shall select its own Chairperson.
- 31.6 The Legislative Coordinator will facilitate an annual review by Council of all Committees' Terms of Reference prior to the annual Organizational Meeting and committee appointments.
- 31.7 Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the approved Terms of Reference.
- 31.8 The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as

- such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 31.9 At its first meeting each year, a Committee shall elect a Chairperson and Vice-Chairperson for a one (1) year term from among the Members unless Council designates:
- (a) the Chairperson of a Committee; or
 - (b) the manner in which the Chairperson shall be selected.
- 31.10 A Member of a Committee can remain in the position of Chairperson for a maximum of three terms of office.
- 31.11 A Chairperson of a Committee may be removed from office by a vote of a majority of the members of the Committee. No motion to remove the Chairperson shall be in order unless Notice of Motion has been given in writing at a regular meeting of the Committee held at least seven days prior to the meeting at which the motion is considered.
- 31.12 The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.
- 31.13 In the absence or inability of the Chairperson to preside over a meeting, the Vice-Chairperson shall preside and shall exercise the same powers, duties and responsibilities that the Chairperson would be entitled to exercise if present.
- 31.14 In the absence or inability of both the Chairperson and Vice-Chairperson to preside over a meeting, the members present, if they constitute a quorum, shall elect one of the members present to preside for that meeting.
- 31.15 A Committee shall conduct its meetings in public in accordance with the provisions of the Act.
- 31.16 Committees shall adhere to the following minimum meeting requirements:
- (a) Committees shall establish, on an annual basis, a schedule of regular meetings;
 - (b) a regular meeting schedule established under this section must be filed with the Legislative Coordinator for a minimum of three (3) clear days prior to the first meeting in the schedule;
 - (c) the Chairperson may call a meeting of the Committee at any time and must do so if a majority of Committee members so request in writing, including a

statement of purpose of the meeting. A Special Meeting requested by Committee members must be held within 14 days after the request is received; and
 - (d) notice of Committee meetings not approved in the established annual schedule, or cancellation of a previously called meeting, must comply with requirements for

Public Notice as set out in this bylaw and be filed with the Legislative Coordinator, a minimum of 48 hours prior to the meeting.

31.17 Minutes must be prepared for all Committee meetings and must:

- (a) include all decisions and other proceedings;
- (b) include the names of Committee members present at and absent from the meeting;
- (c) include any abstentions made under the Municipal Government Act by any member and the reason for abstention;
- (d) include the signatures of the Chair and the Recording Secretary; and
- (e) be retained in a safe manner and be available upon request. A final copy of minutes must be filed with the Legislative Coordinator within a minimum of three working days after being confirmed by the Committee.

31.18 When a Committee is of the opinion that a meeting should be held ~~In-Camera~~ in a Closed Meeting, the motion passed to authorize the ~~In-Camera~~ meeting ~~Closed Meeting~~ Meeting shall include the reason for holding the ~~meeting~~ In-Camera ~~Closed Meeting~~ Meeting, and the ~~meeting~~ Closed Meeting shall be conducted in accordance with the Act.

31.19 Committee meetings shall be open to all Members of Council, but only those Members specifically appointed to that Committee, or appointed ex-officio are entitled to take part in discussion and debate and vote on any matter before the Committee.

31.20 A Member of a Committee who has a pecuniary interest in a matter before the Committee shall disclose the general nature of the interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.

31.21 Any member absent from three (3) consecutive regular meetings of a Committee, unless such absence is authorized by resolution of the Committee, will automatically forfeit his/her membership as of the date of the third consecutive meeting absent from. Any member forfeiting his/her membership may be eligible for re-appointment in the future but not for the unexpired portion of the term forfeited.

31.22 No Committee or any member of a Committee has:

- (a) power to pledge the credit or course of action of the Village or enter into any agreement on behalf of the Committee or Village;
- (b) power to authorize any expenditure to be charged against the Village without prior approval by Council; or
- (c) authority to act except as established in the Terms of Reference for the Committee.

31.23 Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.

- 31.24 A Committee shall report to Council, as required.
- 31.25 The C.A.O. shall appoint an Administrative Representative to each Committee who shall:
- (a) ensure required notice is given, and accurate minutes are kept, for all Regular and Special Meetings of the Committee;
 - (b) provide advice, research, information and additional support staff as required by the Committee; and
 - (c) not be a member of the Committee and may not vote on any matter.

31.26 All Committees are accountable to Council.

32.0 BYLAWS

- 32.1 Where a committee of Council approves the principles of the subject matter of a proposed bylaw, it shall refer the matter to the C.A.O. with instructions for the preparation of the bylaw.
- 32.2 Unless and until the bylaw is approved by the C.A.O. as to form, phraseology and legal validity, a committee to which a bylaw is referred to for preparation shall not submit the bylaw to Council in final form for enactment.
- 32.3 Where a bylaw is presented to Council for enactment, the C.A.O. shall cause the number and the short title of the bylaw to appear in the agenda in the appropriate place.
- 32.4 Every bylaw shall have three readings.
- 32.5 A bylaw shall be introduced for its first reading by the motion that the bylaw, specifying its number and short title be read a first time.
- 32.6 Council shall vote on the motion for the first reading of the bylaw without amendment or debate.
- 32.7 If a member does not elaborate on the subject matter of the bylaw or phrase his/ her question so as to set out his/ her opinion for or against the bylaw, notwithstanding the provisions of Section 30.2, he/ she may ask a question(s) concerning the bylaw.
- 32.8 A bylaw shall be introduced for its second reading by the motion that it be read a second time, specifying the number of the bylaw.
- 32.9 After a member has made the motion for the second reading of the bylaw Council may:
- (a) Debate the substance of the bylaw, and;
 - (b) Propose and consider amendments to the bylaw.
- 32.10 A proposed amendment shall be put to a vote and if carried, shall be considered as having been read a first time and incorporated in the bylaw.

- 32.11 Where a bylaw deals in whole or in part on a matter of confidentiality, Council may, after the first reading thereof, go into ~~an In-Camera~~ a Closed Meeting session to debate the confidential matters of the bylaw.
- 32.12 After a motion has been made for the second reading of a bylaw or after the Council has gone into ~~an In-Camera~~ a Closed Meeting session to debate the second or third reading of the bylaw, a member may require all or any portion of the bylaw to be read at length.
- 32.13 The C.A.O. shall be responsible for and cause a keeping of a record of any amendments to the bylaw passed by Council.
- 32.14 When all amendments have been accepted or rejected, the motion for the second reading of the bylaw as amended shall be put.
- 32.15 A motion for the third reading of a bylaw shall give the number and the short title of the bylaw.
- 32.16 It shall not be necessary to read the bylaw aloud for the third reading.
- 32.17 Unless the members present at the meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.
- 32.18 If Council unanimously agrees that a bylaw may be presented for a third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the bylaw than if it has received a third reading at a subsequent meeting.
- 32.19 After council votes affirmatively for a third reading of a bylaw it:
- (a) Becomes a municipal enactment of the Village, and;
 - (b) Is effective immediately unless the bylaw provides otherwise.
- 32.20 After passage, a bylaw shall be signed by the Mayor or by a member presiding at the meeting at which it was passed and by the C.A.O. and shall be impressed with the corporate seal of the Village.
- 32.21 Where prescribed by provincial statute requiring a bylaw to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes.
- 32.22 After a bylaw requiring a vote of the electorate has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.
- 32.23 Where a member inquiry involves a written answer to be given at a future meeting and it appears to the C.A.O. that the cost to the Village which will be incurred by reason of:
- (a) Time of Village employees which must be taken from performance of their regular duties or overtime which must be worked, or;
 - (b) The need to hire additional employees, or;
 - (c) The necessity of obtaining and paying for the information from other than Village employees;

and it is likely to be more than five hundred dollars and no appropriation has been made for such expenditure in the budget of any department, then the C.A.O. shall report the anticipated cost to Council and shall not proceed with the investigation necessary to answer the inquiry, unless and until Council directs that the inquiry shall be made and provides in a supplementary budget or otherwise for the payment of the cost.

32.24 Notwithstanding anything else contained in this Section or elsewhere in this bylaw, the subject matter of an inquiry is not debatable until the reply thereto has been made or presented to Council.

32.25 Notwithstanding the other provisions of this Section, a member of Council wishing to obtain information or to make an inquiry may instead of following the procedure set out in Section 19.2, produce the inquiry in writing and forward the same to the C.A.O. with the request that it be discussed with the Mayor.

32.26 Upon receipt of the inquiry and the request, the C.A.O. shall discuss the inquiry with the Mayor who may refer the inquiry;

- (a) To the next meeting of Council, or;
- (b) Directly to the Councillor who made the inquiry.

33.0 STANDING POLICY COMMITTEES & SUB-COMMITTEES THEREOF

33.1 In accordance with the MGA, the Mayor is an ex-officio member of each of the committees of Council.

33.2 The C.A.O. is a non-voting ex-officio member of all committees.

33.3 If directed by Council, any member attending a meeting on behalf of Council must vote in accordance with Council's direction.

33.4 When any matter relating to proceedings in Council or in the committees thereof arises which is not covered by a provision of this bylaw, the matter shall be decided by a reference to the rules of the House of Commons of Canada as set out in the current edition of Beauchesne's Parliamentary Rules and Forms.

34.0 RESCIND

34.1 This bylaw rescinds Bylaw 2017-001 and any amendments thereto and shall come into force when it receives THIRD and FINAL reading and is duly signed.

READ a FIRST time this 17 day of April, 2020.

Mayor

CAO

READ a SECOND time this ____ day of May, 2020.

Mayor

CAO

READ a THIRD and FINAL time this ____ day of May, 2020.

Mayor

CAO

Comparison Details	
Title	compareDocs Comparison Results
Date & Time	1/14/2021 2:20:45 PM
Comparison Time	6.14 seconds
compareDocs version	v4.3.306.6

Sources	
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Modified Document	[[23737301] [v2] Procedural Bylaw_MLTA Edits.docx

Comparison Statistics	
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Deletions	5
Changes	29
Moves	0
Font Changes	0
Paragraph Style Changes	0
Character Style Changes	0
TOTAL CHANGES	47

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Insertions	
Deletions	
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Font Changes	
Paragraph Style Changes	
Character Style Changes	
Inserted cells	
Deleted cells	
Merged cells	
Changed lines	Mark outside border.
Comments color	By Author.
Balloons	True

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Open Comparison Report after Saving	General	Always
Report Type	Word	Formatting
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Show Track Changes Toolbar	Word	True
Show Reviewing Pane	Word	True
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Summary Report	Word	End
Include Change Detail Report	Word	Separate
Document View	Word	Print
Remove Personal Information	Word	False
Flatten Field Codes	Word	True

*COUNCIL PROCEDURAL BYLAW
VILLAGE OF CAROLINE
PROVINCE OF ALBERTA*

BEING A BYLAW OF THE VILLAGE OF CAROLINE IN THE PROVINCE OF ALBERTA, TO DEAL WITH PROCEDURE AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF THE VILLAGE OF CAROLINE.

WHEREAS, the Municipal Government Act, being Chapter M-26 (2000), RSA and subsequent amendments thereto, provides for the regulations of the proceedings of Council and Committees thereof, to provide for dealing with petitions, remonstrance's and submissions of Council.

NOW THEREFORE, the Council of the Village of Caroline duly assembled, enacts as follows:

1.0 TITLE:

1.1 This Bylaw may be cited as the Council Procedural Bylaw.

2.0 DEFINITION & INTERPRETATION

2.1 In this Bylaw:

- (a) ACT means the Municipal Government Act, R.S.A., as amended.
- (b) ACTING MAYOR means the member selected by Council to preside at a regular meeting thereof in the absence or incapacity of both the Mayor and Deputy Mayor
- (c) AGENDA means the list and order of business items for any meeting of Council or Committees.
- (d) BYLAW means a bylaw of the Village
- (e) C.A.O. means the Chief Administrative Officer.
- (f) CHAIRPERSON means the member elected from among the members of a committee to preside at all meetings of the committee.
- (g) CLOSED MEETING is any meeting of Council where:
 - i. Members of the public are not permitted to attend the entire meeting or part of the meeting;
 - ii. The council, committee, or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct; or
 - iii. The council, committee, or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.

- (h) **COMMITTEE** means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this bylaw.
 - (i) **COUNCIL** means the Councillors of the Village of Caroline being elected pursuant to the provisions of the Local Authorities Election Act of Alberta whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Municipal Government Act and the Local Authorities Election Act.
 - (i) **DEPUTY MAYOR** means the member appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.
 - (j) **MAYOR** means the member of Council, duly elected and continuing to hold office that is duly appointed by council from among the councillors.
 - (k) **MEMBER** means a member of Council, duly elected and continuing to hold office or a Member of Committee duly appointed by Council.
 - (l) **MGA** means the Municipal Government Act, Chapter M-26, 2000, Revised Statutes of Alberta, with amendments in force.
 - (m) **NEW BUSINESS** means business dealing with a matter which has not been introduced at the same or previous meeting and of which no notice has been given of the intention to present it.
 - (n) **PRESIDING OFFICER** means the Mayor, Deputy Mayor, Acting Mayor or other such person selected by Council to chair the meeting as constituted by this Bylaw.
 - (o) **PRIVILEGES** mean the right and immunities of Council, collectively or the position and conduct of members of Council in their official character as elected representatives and a "Matter of Privilege" means any matter affecting privilege.
 - (p) **PUBLIC HEARING** means a meeting of Council convened to hear matters pursuant to the Act.
 - (q) **QUORUM** means the majority:
 - 1. Of the valid, subsisting members of Council, or;
 - 2. In the case of the Committee, Board or other organized and recognized group, unless the bylaw or resolution establishing such a body specifies a different quorum, of majority of all members, unless Council provides otherwise in this Bylaw.
 - (r) **SPECIAL MEETINGS** mean a meeting called by the Mayor pursuant to the Act.
 - (t) **VILLAGE** means the corporation of the Village of Caroline and where the context so requires, means the area included within the boundaries of the Village.
 - (u) **WRITTEN CONSENT** means a document giving permission for something to happen or proposed by another must either be on paper or email.
- 2.2 Wherever this bylaw requires that a motion be made, a bylaw be passed or any other action be taken by a vote of:

- (a) A simple majority of Council, or;
- (b) All members of Council; the requirements shall be interpreted as meaning such majority, fraction or total of the members of Council who are present and voting on the matter.

3.0 APPLICATION OF BYLAW

3.1 This bylaw applies to:

- (a) All regular and special meetings of Council, and;
- (b) Subject to the provisions of Section 3.2 conduct of the meetings of all committees of Council.

3.2 Notwithstanding Section 3.1:

- (a) No motion need be seconded, and;
- (b) Members may speak more than once to any motion or question.

4.0 ORGANIZATION MEETING OF COUNCIL

4.1 The C.A.O. shall set the time and place for the first organizational meeting of council following the general election, scheduled in accordance with the MGA.

4.2 At the commencement of the annual organizational meeting following an election, the C.A.O. shall call the meeting to order and shall preside over the meeting until the Councillors take the Official Oath of Office has been administered to the council and.

4.3 After the Mayor has been appointed by council from among the councillors, then he/she shall preside over the meeting.

4.4 The Council shall elect members of Council to the standing committees.

4.5 The Mayor shall be an ex-officio member of all standing committees without so being named, but without voting privileges.

4.6 All Committees and other bodies that Council is entitled to appoint shall be reviewed annually in the manner provided in this section at the time of the organizational meeting as set by the Statutes then in effect.

4.7 The business of Council at the organization meeting following the elections shall be limited to the calling of the meeting, administration of the Oath, introduction of new members, development of a Deputy mayor's schedule, and the election of members to act on committees, commissions, boards and other bodies on which Council is entitled to representation, and such other business as is required by the MGA.

4.8 The business of Council will be to appoint Signing Authority that shall be the Mayor or Deputy Mayor along with the C.A.O and/or designate.

4.9 Unless Council shall:

- (a) By a majority vote taken at a previous regular meeting or;

- (b) By a unanimous vote taken at a previous special meeting to determine that a subsequent meeting of Council shall be held at a different place, all meetings of Council subsequent to the annual Organizational Meeting of Council shall be held in the Council Chambers of the Village of Caroline Administration Building located at 5004-50 Ave.
- (c) If it is decided to hold any meeting of Council at any place other than the Council Chambers of the Village of Caroline Administration Building, the C.A.O. shall post a notice of such a change of location to the Village website and Village Office Memo Board for the meeting to be held elsewhere than the Council Chambers when the same is delivered to the members of Council pursuant to Section 16.0.

5.0 PLACES, DATES & TIMES OF MEETINGS

5.1 Subject to Sections 4.1, 4.8 and 5.2, Regular Council Meetings shall be held in the Council Chambers located at 5004-50 Avenue, Caroline, Municipal Administration Office, once or twice a month for all business of Council in accordance with the schedule of the meetings approved at the organizational meeting annually.

- (a) The following exceptions shall apply, unless Council approves otherwise:
 - i. Council may meet on the second Friday of July only;
 - ii. Council may meet on the second Friday of August only.
 - iii. Council may meet on the second Friday of December only.
 - iv. If a Regular Council Meeting falls on a statutory holiday, the meeting will take place on the next business day.
 - v. Special Council Meetings may be called and notice of such Special Meetings shall be given in accordance with the provisions of the Act and this Bylaw.
 - vi. A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of a pecuniary interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed by the Act.

5.2 Notwithstanding anything contained in Section 5.1, Council may by majority vote of the members present at any regular meeting of Council direct that:

- (a) The next Council meeting will be held on a day other than the date on which it would fall due;
- (b) Any meeting of Council may commence at any other time than that set for such meeting in this Section.

5.3 Unless otherwise determined Council meetings shall commence at 1:00 pm and shall continue not later than 4:00 pm of the same day.

5.4 Notwithstanding the provisions of Section 5.3, Council may upon an affirmation vote of a majority of the members present and voting which vote subject to the provisions of

Subsection 4 must be taken not later than 3:30 pm extending the meeting beyond 4:00 pm in the case of Section 5. 1 and 5.3.

- 5.5 Unless there has been a motion passed by the required majority within the prescribed time extending the Council meeting beyond 4:00 pm, all matters of business which appear on the Council agenda for a meeting and which have not been dealt with by that time shall be deemed to be tabled until the next regular meeting of Council.
- 5.6 Notwithstanding the other provisions of this Section, if no motion is passed before 3:30 pm by the required majority for extension of the meeting and if a member has risen and is addressing Council at 4:00 pm, the Mayor or other Chairperson shall, as soon as the member resumes his/ her seat, call the attention of the Council to the time and if Council thereupon considers and votes on a motion to extend the meeting, such motion shall be deemed validly put and passed or defeated, as the case may be, notwithstanding that it is later than 4:00 pm.
- 5.7 If it appears to the Mayor that any matters included in the agenda for a Council meeting which were not disposed of by the meeting prior to the adjournment thereof are of an urgent nature which requires action before the next regular meeting, he/ she shall call pursuant to the provisions of the MGA as a special meeting of Council to deal with such matters.
- 5.8 When a regular or special meeting of Council is adjourned:
- (a) In order to terminate the debate on a certain subject, or;
 - (b) The business on the agenda has been completed; it shall be deemed to be the end of that meeting and a subsequent meeting shall be considered to be a new meeting.
- 5.9 Council may by majority vote of the members present at any regular or special meeting decided to hold a special meeting at any time and place as it deems fit.
- 5.10 The Mayor may on his/her own initiative and shall, when requested by a majority of Council in writing, summon a special meeting at such time as the request of Council shall indicate.
- 5.11 The Mayor may on his/her own initiative may summon a special meeting at such time as he/ she deems fit by a notice in writing given at least 24 hours prior to the meeting and indicating in general terms the business to be transacted thereat.
- 5.12 When requested by a majority of Council in writing, the Mayor shall summon a special meeting at such time as the request of Council shall indicate, and shall notify all members of Council at least 24 hours prior to the meeting, by a notice which shall indicate:
- (a) That the meeting has been called at the request of members, and;
 - (b) The business to be transacted thereat.
- 5.13 Notwithstanding the provisions of Sections 5.1 and 5.2 the Mayor may call a special meeting of the Council upon such shorter notice, either verbal or written, as he/she deems sufficient if at least majority of the members present of Council give their consent in writing to such notice before the commencement of the meeting.

- 5.14 Except in the case of a special meeting determined at another special meeting or at a regular meeting of Council, the C.A.O. shall mail, or electronically mail, or deliver to each member, a notice of the special meeting indicating the time at which such meeting will be held and indicating the business or matter which shall be discussed thereat, so that he/she receives it at least 24 hours before the time of the special meeting.

6.0 REMOTE ATTENDANCE AT COUNCIL MEETINGS

- 6.1 Council members are permitted to participate in a Council Meeting by means of remote communication in instances when a Council member is unable to attend in person;
- (a) including electronic means of two-way communication methods such as speakerphone, Skype, or other media that provide full audio or audio and visual capability.
 - (b) for purposes of voting by a member(s) of Council, such attendance from remote location(s) shall be considered the equal of being physically present in Council Chambers, (with the exception of a Closed Meeting). When a vote is called on a motion, the member of Council who is participating by means of remote communication, shall vote verbally only after all other Councilors present have voted by a show of hands.
 - (c) if the Mayor attends by remote means, he/she may participate in discussion, but the Deputy Mayor or alternate if physically present in Council Chambers shall be the presiding officer to best facilitate an orderly and efficient meeting process.
 - (d) in all meetings involving remote attendance, the Mayor or presiding officer shall inform all present of the intent to initiate a remote communication.
 - (e) the Mayor or presiding officer shall confirm and announce to all present that they can clearly hear and as appropriately, clearly see visual contact with the Council member. The CAO shall record such confirmation in the minutes.
 - (f) Council may approve the use of remote communication for the entirety of the meeting or for a specified portion thereof.
 - (g) no portion of a "Closed Meeting" session may be conducted through the use of remote communication.
 - (h) if the Council, by a majority, approves use of remote communication for only a specified portion of any meeting, the Mayor or presiding officer shall announce same and, at the end of the specified section, shall clearly announce to all the close of the remote communication and shall order that the communication be stopped. The CAO shall record the beginning and ending times of such remote communication in the minutes.
 - (i) in the event the remote communication link is broken or significantly degraded such that it does not meet the requirements, the Mayor or presiding officer shall confirm the loss of service and announce the close of the remote attendance. The CAO shall record such time of closure in the minutes.
 - (j) any member who wishes to utilize remote communication to attend a portion or all of a Council meeting, must notify in writing or email the CAO that he or she intends to participate by means of a remote communication; and the Council

member must give two (2) business days notice in order to allow necessary arrangements can be made to facilitate the remote attendance.

- (k) any Council member participating in a Council meeting by means of a remote communication facility, must ensure that they post a written notice in a prominent location near to their position, advising any members of the public present in that area that a public meeting is in progress.

7.0 RESCHEDULING OF MEETINGS:

7.1 A Regular Council Meeting may be rescheduled:

- (a) by a majority of Members at a previously held meeting; or
- (b) with the written consent of a majority, providing twenty-four (24) hours' notice is provided to Members and the public; or
- (c) with the written consent of majority of the whole Council if twenty-four (24) hours' notice is not provided to the public.

The date, time, or location of a Council Meeting, may be changed by Council through resolution passed at a duly convened meeting. For greater clarity, any meeting to discuss changes to the date, time, or location of a Council Meeting may be held virtually.

7.2 A Special Meeting, called under the initiative of the Mayor, may be cancelled:

- (a) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
- (b) if less than twenty-four (24) hours' notice is provided, the Mayor may cancel with the written consent of majority of the whole Council.

7.3 A Special Meeting, requested in writing by the majority of the Members, may be cancelled:

- (a) with the written consent of the requesting Members, if twenty-four (24) hours' notice is provided to the Members and the public; or
- (b) if less than twenty-four (24) hours' notice is provided, with the written consent of majority of the whole Council.

8.0 DEPUTY MAYOR & ACTING MAYOR

8.1 The Council, at its organizational meeting, after election, shall determine a yearly schedule for Deputy Mayor, whereby each Councillor will cast a vote by secret ballot to determine the Deputy Mayor until the next Organizational meeting.

8.2 Council may at any time appoint one of its members to be an Acting Mayor in the absence of, or inability of, the Mayor and the Deputy Mayor to act.

8.3 Any member of Council appointed to act as the Presiding Officer, Chair, or acting Mayor of a meeting are also the signing authority for those minutes of that meeting that is chaired.

9.0 AGENDA FOR COUNCIL MEETINGS

9.1 The C.A.O., shall prepare an agenda which may include, but not be limited to the following categories in an order approved by the Council and C.A.O.:

(a) Public Hearing

Call to Order

Additions to/Adoption of the Agenda

Adoption of the Minutes

Delegation

Staff Reports

Committee and Board Reports

Business

Discussion, Correspondence, Information Items

Closed Meeting

Adjournment

(b) Refer to the minutes of any previous meeting or meetings which have not already been delivered to the members of Council.

(c) List or contain any other matter which Council may from time to time direct.

9.2 The C.A.O. shall cause the agenda to be copied and be made available to each member of Council and to the office of the C.A.O. so that it will be available not less than two full days before the time for commencement of the meeting for which it is prepared and;

(a) To all Village personnel who are entitled to receive copies thereof.

9.3 Unless Council directs otherwise, no material will be accepted which has not been included in the Agenda provided.

10.0 COMMENCEMENT OF COUNCIL MEETINGS

10.1 If there are not sufficient members assembled at the meeting to constitute a quorum within half of an hour from the time of commencement of the meeting, the C.A.O. shall cause the record to include the names of all the members present at that time and unless a special meeting be duly called in the meantime, Council shall be deemed to be adjourned until the next regular meeting.

10.2 When Council is unable to meet for want of a quorum, the agenda delivered for the proposed meeting shall be considered at the next regular meeting prior to the consideration of the agenda for the subsequent meeting or at a special meeting called for that purpose.

- 10.3 If there is a quorum present at the time the meeting should be called to order and the Mayor and Deputy Mayor are absent, the C.A.O. shall call the meeting to order and shall call for an Acting Mayor to be chosen by a resolution.
- 11.0 PRIVILEGE
- 11.1 When a member desires to address the Council on a matter of privilege he/ she shall be permitted to raise such question of privilege and when he/she does so, shall explain succinctly in what way the personal privilege of the member or the privilege of Council are affected.
- 11.2 After the member has stated the point of privilege, the Mayor or the member presiding at the meeting shall rule whether or not the matter raised is deemed to be a point of privilege.
- 11.3 A matter which is ruled to be a matter of privilege shall take precedence over all other matters before Council.
- 11.4 Where the Mayor or other presiding member has ruled that a matter raised is a matter of privilege, the member raising the same may speak on it but there shall be no debate on the matter unless a motion thereon is put to Council.
- 11.5 If the question of privilege concerns a situation, circumstance or event which arose between meetings of Council, the member(s) bringing the matter before Council shall do so immediately after the adoption of the minutes of the previous meeting.
- 12.0 CONTROL & CONDUCT OF COUNCIL MEETINGS
- 12.1 Subject to being overruled by a majority vote of members of Council which vote shall be taken without debate, the Mayor or other presiding officer shall:
- (a) Maintain order and preserve decorum of the meeting;
 - (b) Decide points of order without debate or comment other than to state the rule governing;
 - (c) Determine which member has a right to speak;
 - (d) Ensure that all Members who wish to speak on a motion have spoken and that the Members are ready to vote and shall call the vote;
 - (e) Rule when a motion is out of order, and;
 - (f) May call a member to order.
- 12.2 In the event that a member refuses to come to order as required by Section 12.1 when called to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, a member of Council, to move a resolution to remove the unruly member either for:
- (a) The balance of the meeting or until:
 - i. A time which shall be stated in the motion, or;

- ii. The member makes an apology acceptable to Council for his/her unruly behaviour; whichever shall be the shortest time.
- 12.3 If a majority of Council votes in favour of the resolution, the Mayor or Deputy Mayor shall direct the unruly member to leave the Council Chambers and if the member refuses to leave, direct that he/ she be removed by any police constable present in the Council Chambers.
- 12.4 If after Council has directed an unruly member to leave the Council Chambers, the member so directed make an explanation and apology adequate and satisfactory to the Council, it may by majority vote of the remaining members present allow the offending member to remain in his/ her place if he/ she has not left or been removed, or to retake it if he/she has.
- 12.5 When a member wishes to speak at a Council meeting he/she shall address the Chair.
- 12.6 When a member is addressing the Chair, every other member shall:
- (a) Remain quiet, and;
 - (b) Not interrupt the speaker except on a point of order, and;
 - (c) Not carry on a private conversation, and;
 - (d) Not cross between the speaker and the chair.
- 12.7 When a member is addressing the Council he/ she shall:
- (a) Not speak disrespectfully of Her Majesty the Queen or her official representatives of government;
 - (b) Not use offensive words in referring to any member of the Council, any official or any employee of the Village;
 - (c) Not reflect on any vote of council except when moving to rescind it and when so doing shall not reflect on the motives for the members who voted for the motion.
 - (e) Not shout or immoderately raise his/ her voice or use profane, vulgar or offensive language, and;
 - (f) Assume personal responsibility for any statement he/ she quoted to Council or upon request of Council, shall give the source of the information.
- 12.8 When the Mayor calls a member to order the member shall resume his/ her seat but may afterwards explain his/ her position in making the remark for which he/ she was called to order.
- 12.9 Where a member wishes to leave the Council Chambers while a meeting is in progress, he/ she shall address the Chair, excuse him/ herself and await acknowledgment before leaving his/ her place.
- 12.10 No member shall leave the Council Chambers after a question is put to vote until the vote is taken.
- 12.11 Members of the public who constitute the audience in the Council Chambers during a Council meeting:
- (a) May not address Council without permission of the Council, and;

- (b) Shall maintain order and quiet, and;
 - (c) Shall not applaud or otherwise interrupt any speech or action of the member, or any other person addressing Council.
- 12.12 The Mayor may direct that a constable removes any person in the audience who creates a disturbance during a meeting.
- 13.0 PROCEEDINGS AT MEETINGS
- 13.1 Subject to the other provisions of this section, the order of business for a meeting shall be contained in the agenda for the meeting.
- 13.2 The order of business for a regular meeting of Council shall be determined with the adoption of the agenda.
- 13.3 If an alteration of the order of business is desired for the convenience of the meeting, Council may by a majority vote, may make any such alteration of the order of the business.
- 13.4 Notwithstanding the order of business set out in Section 13.2 hereof, where the same subject matter appears in more than one place in the same agenda unless Council by resolution otherwise determines, Council shall deal with all items on the agenda related to said subject matter at the time of the first appearance of the subject matter on the agenda.
- 13.5 The C.A.O. is causing the production of the agenda, may insert immediately following the first appearance of an item, a copy of any document dealing with the same subject matter although the said item may appear in any subsequent portion of the agenda.
- 13.6 When the C.A.O. is causing the preparation of the minutes of the Council meeting, shall note in the proper place as provided in Section 13.2 hereof, that the item listed as having been dealt with under a previous order of business was dealt with in accordance with Section 13.4.
- 13.7 A member wishing to make an inquiry for answer at a subsequent meeting shall put the inquiry in writing and shall, prior to or during the meeting, hand it to the C.A.O. who shall cause it to be read aloud to the Council.
- 13.8 The Mayor and Council by majority vote may cause the meeting of Council to be recessed for an appropriate amount of time as required.
- 14.0 RECESS
- 14.1 Any member may move that Council recess for a specific period. After the recess, business will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker.
- 14.2 A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.
- 15.0 PREVIOUS MINUTES

- 15.1 Unless requested by a majority of the members, the minutes of the previous meeting shall not be read aloud.
- 15.2 The Mayor shall present the minutes to the Council with a request for a motion adopting them.
- 15.3 If there are any corrections or if a majority of the members of Council deem any correction(s) be necessary for the accuracy of the minutes, it or they shall be incorporated therein.
- 15.4 In the event a member of Council is absent from the meeting in which minutes are passed which he/ she considers require corrections, he/ she may address the correction.
- 15.5 The C.A.O. shall cause the minutes of each Council meeting to be prepared, copied and distributed to the members of Council for the next regular meeting.
- 16.0 COMMUNICATIONS & PETITIONS
- 16.1 Where a person wishes to bring any matter to the attention of Council or to have any matter considered by Council, he/ she shall address a letter or other communication to the Council which shall:
- (a) Be printed, typewritten or fairly written;
 - (b) Clearly set out the matter at issue and the request made of Council respect thereof;
 - (c) In the case of a petition, indicate in the petition if a representative wish to address Council on the subject matter of the petition;
 - (d) Be signed by the proper authorities as required by the MGA;
 - (e) In the case of a petition, set out the municipal address and legal description of property owned by each petitioner in accordance with the MGA.
- 16.2 Where a matter has been presented to Council by a person or group pursuant to Section 16.1 and/ or Section 16.1 has been dealt with by Council in any final manner and a person or group directs a letter or communication to Council on the same or substantially the same matter again within six months after the time Council so dealt with the matter, Council subject to Section 16.4 shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 16.3 Notwithstanding Section 16.2, Council by a majority vote of Council may again consider the matter at an earlier time than the time set by Section 16.2.
- 16.4 Where pursuant to the provisions of Section 16.1, a communication intended for Council is received, the C.A.O. shall then:
- (a) Include it as an item on the agenda for the next regular meeting, or;
 - (b) Refer it to the appropriate standing Committee of Council together with any necessary reports from the applicable departments.

17.0 PERSONS WISHING TO ADDRESS COUNCIL

17.1 If a representative of any group of persons wishes to address Council on a matter which is not on the agenda, Council may on a majority affirmative vote allow the representative or any other person to address it. The Mayor shall determine the amount of time required by a person/ delegation when addressing Council unless:

- (a) An applicable statute or other overriding law in force in the Province of Alberta requires a time longer than allowed, or;
- (b) The time is extended by a majority vote of Council.

17.2 Subject to the provisions of the MGA, a person who wishes to make representations concerning the manner in which any matter is brought before a public hearing which may affect him/ her or any owner of land whom he/ she represents or the public at large of any local group of residents or property owner, may address Council subject to any limitations as to time and any requirements as to notice in writing which may be required by the Council pursuant to the provisions of the MGA.

18.0 COUNCILLOR REPORTS

18.1 Each Councillor will be provided a maximum of five (5) minutes for the purpose of providing a verbal update on Committees or community events in which municipal participation has been approved by Council.

18.2 Any action required as a result of a Councillor Report shall be brought forward as a separate business item or Notice of Motion.

19.0 NOTICE OF MOTION

19.1 A notice of motion and the substance thereof may be in writing and shall be presented at a regular meeting of Council.

19.2 Notwithstanding the provisions of Section 20, a member wishing to make a notice of motion instead of introducing it as provided in Section 20, may produce the motion in writing and forward it to the C.A.O. with the request it be discussed with the Mayor.

19.3 Upon receipt of such a notice of motion and request, the C.A.O. shall discuss the notice of motion with the Mayor who shall refer the notice of motion directly to the next regular meeting of Council.

20.0 MOTIONS

20.1 A Member who wishes to submit a motion in excess of 25 words shall do so in writing.

20.2 After a motion has been put forward and voted on, Council may give permission to withdraw the motion.

20.3 After a motion has been moved, it is the property of Council and may not be withdrawn without the consent of the majority of Council.

20.4 Except as elsewhere specifically provided in this bylaw, the following motions are debatable by Council:

- (a) A motion arising out of any matter of discussion item included in the agenda for the Council meeting at which it is debated;
- (b) A motion concerning any question, matter, subject or discussion item tabled from a previous meeting of Council or tabled for a meeting at which it is discussed;
- (c) A motion for concurrence in, rejection of, or further consideration of a report to Council or a motion arising out of any matter dealing within a report to Council;
- (d) A motion for the second reading of a bylaw;
- (e) A motion for the third reading of a bylaw;
- (f) A motion for appointment of a committee, dismissal of a committee;
- (g) A motion for the Council to go into a Closed Meeting session;
- (h) A motion for amendment to any bylaw properly before Council or any matter arising directly out of any bylaw properly before Council;
- (i) Such other motion made upon routine proceedings as may be required for the observance of the:
 - i. Properties of the Council;
 - ii. Maintenance of its authority;
 - iii. Appointment or conduct of its officers;
 - iv. Management of its business;
 - v. Arrangements of its proceedings;
 - vi. Correctness of its records;
 - vii. Fixing of its sitting;
 - viii. Days and times of its sittings;
 - ix. Time of the meeting;
 - x. Adjournment.

20.5 When a motion has been made and is being considered by Council, no member may make another motion except a motion to:

- (a) Refer the main question to some other person or group for consideration;
- (b) Amend the main question or an amendment to it;
- (c) Table the main question;
- (d) Postpone the main question until some future time;
- (e) Adjourn the meeting.

21.0 TABLING MOTIONS

- 21.1 A member moving a motion to table any matter, whether the matter is contained in a petition, enquiry, motion or other matter before the Council, shall include in the tabling motion:
- (a) The time at the present meeting or the date of a future regular or special meeting to which the motion is to be tabled or;
 - (b) A provision that the matter is to be tabled.
- 21.2 A motion to table a matter shall not be debated except as to the time when Council will again consider the motion.
- 21.3 A matter which has been tabled to a particular date shall not be again considered by Council before the date set except on a vote of majority of the members of Council present and voting on it.
- 22.0 REFERRAL MOTIONS
- 22.1 A motion to refer a matter shall be put forthwith without amendment or debate.
- 22.2 A member of Council who is moving a reference motion shall be required to include the motion:
- (a) The terms of which the motion is being referred;
 - (b) The time when the reference is returnable, and;
 - (c) Whatever explanation is necessary as to the purpose of the motion.
- 22.3 Notwithstanding Section 19.2 when pursuant to the provisions of Section 19.1, when a motion to refer a matter is made, a member may ask the Mayor or other presiding officer at the Council meeting, a question relative to any of those matters which as provided in Section 19.3 may be included in a reference motion.
- 22.4 After a motion has been made notwithstanding Section 18.0 or anything elsewhere contained in this bylaw a member may with the consent of Council:
- (a) On his/ her own initiative while he/ she is speaking on the same or;
 - (b) When requested by another member speaking on the motion; change the wording on the motion or agree to change proposed by another member if the alteration does not change the intention of the motion.
- 22.5 When there is a committee appointed for a purpose, a Village department normally dealing with the subject matter of the motion, or a C.A.O. who would normally deal with such matters, Council may refer the question before it to the C.A.O. who shall have the appropriate committee, department or designate deal with the matter.
- 23.0 MOTION CONTAINING DISTINCT PROPOSITIONS
- 23.1 A motion containing several distinct propositions is not out of order for that reason alone.
- 23.2 Where a motion contains two or more propositions:
- (a) If a majority of Council so requires, or;

- (b) If the Mayor or other officer presiding so order; Council shall vote on each proposition separately.

24.0 AMENDMENTS

24.1 Notwithstanding anything elsewhere herein contained, no amendment to a motion to:

- (a) Refer a question to some other person or body for consideration;
- (b) Table a question;
- (c) Postpone discussion on a matter to a stated time;
- (d) Adjourn a meeting, or;
- (e) For the first reading of a bylaw; shall be made.

24.2 While a motion is under discussion by Council, a member may not move an amendment:

- (a) Which does not relate to the subject matter of the principal motion, or;
- (b) Is directly contrary to the principal motion.

24.3 Where an amendment has been moved to a motion which is under discussion, an amendment to the amendment may be moved but no further amendment may be moved to the amendment or to the principal question until after the amendment to the amendment is voted upon.

24.4 A member who moved a motion may not move an amendment to it.

24.5 The Mayor or other presiding officer shall not put the principal motion under debate until all amendments to it have been put and voted upon.

24.6 When all amendments are voted upon the Mayor or other presiding officer shall put the principal motion incorporating therein any amendments already adopted.

25.0 MOTION OUT OF ORDER

25.1 When a motion is out of order the Mayor or other presiding officer shall so advise the Council and shall cite the rule or authority applicable thereto.

25.2 Any member of Council may raise the question of whether or not a motion is in order.

26.0 DEBATE ON MOTION

26.1 Except as otherwise provided in this Section, no member may speak more than twice on any motion.

26.2 Notwithstanding Section 24.1 a member after receiving permission from the Mayor or other person presiding at the meeting, may speak in explanation of a material part of his/her speech which has been misquoted or misunderstood but he/ she may not introduce any new matter and there shall be no debate on the explanation.

- 26.3 Notwithstanding Section 24.1, a member who has moved a substantive motion, other than a motion:
- (a) To approve or accept a recommendation in another report made to Council, or;
 - (b) To appoint or instruct a committee, or;
 - (c) That the main question before the Council be immediately put to a vote; may speak in reply to close the debate after all other members of Council have been given an opportunity to speak.
- 26.4 Notwithstanding Section 24.1, before the debate has been closed and the question called on a motion and when another member does not have the floor, a member may during the debate:
- (a) Ask a question which relates directly to the debate, contains no argument and introduces no new material on the motion, or;
 - (b) Request that the motion or a part thereof be read aloud.
- 26.5 Unless Council by a majority vote shall extend the time, no member thereof shall speak longer than:
- (a) Five minutes on any original motion before Council, or;
 - (b) Three minutes on any amendment to an original motion before Council.
- 26.6 If the Mayor wishes to join in the debate on a question or motion properly before Council, he/she shall vacate the Chair and request the Deputy Mayor or some other member of Council take the Chair.
- 27.0 VOTING ON MOTIONS
- 27.1 When a member who has moved a motion closed the debate, the Mayor shall put the motion to a vote.
- 27.2 Votes on all motions must be taken as follows:
- (a) The Presiding Officer must declare the motion and call for the vote;
 - (b) Members must:
 - i. vote by a show of hands, or
 - ii. vote verbally if unable to show hands.
 - (c) The Presiding Officer must state the names of those voting against the motion and declare the result of the vote.
 - (d) The names of those Members who voted against the motion shall be recorded as opposed within the minutes.
- 27.3 When a motion has been declared put to a vote, no member shall debate further on the question or speak any words except to request that the motion be read aloud.
- 27.4 When the Mayor or presiding officer is of the opinion that a motion is unacceptable or contrary to the rules of procedure and privilege, he/she shall appraise the members present immediately.

- 27.5 Should a member(s) present disagree with the Chairperson's ruling on a prepared motion, the Chairperson will immediately call for a show of hands of the member(s) who support the opinion of the Chair and who are opposed and the majority result will determine if the proposed motion is put to a vote.
- 27.6 Unless excused from voting by resolution of a majority of Council, or unless he/ she is disqualified from voting by reason of a direct or indirect pecuniary interest, the Mayor when present, and each Councillor present, shall vote on every division on every motion before Council.
- 27.7 No member who is absent from the Council Chambers when the vote is put and either:
- (a) The C.A.O. has begun to poll the members if a voice vote is being taken, or;
 - (b) The decision is made to take a recorded vote;
- shall enter the Council Chambers or attempt to vote and therefore he/ she cannot vote on the matter.
- 27.8 Whenever a statute of the Province of Alberta, regulation made thereunder, or this or another bylaw of the Village requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation or bylaw.
- 27.9 If any member of the Council should call for a poll of the members for a recorded vote prior to the vote being taken on a motion, the names of those who voted for and those who voted against the motion shall be entered in the minutes.
- 28.0 **RECONSIDERING & RESCINDING A MOTION**
- 28.1 When a Councillor wishes to reconsider, alter or rescind any motion already passed or action taken at a previous meeting and when such matter does not appear on the agenda, he/ she shall bring the matter before Council.
- 28.2 Where a matter on which Council has made a previous motion or taken a previous action is properly before Council as provided in this Section, Council may by a simple majority pass a motion which alters, rescinds or conflicts with any previous action taken or motion made without specifying that the previous motion or action is being altered or rescinded and the provisions of such motion shall override the provisions of any previous motion with which they conflict.
- 28.3 Notwithstanding anything provided in this Section where pursuant to any motion duly passed by Council, the Village has a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the liability or obligation.
- 29.0 **MOTION TO ADJOURN**
- 29.1 A member may move a motion to adjourn the meeting at any time except when:
- (a) Another member is in possession of the floor;

- (b) The members are voting;
 - (c) Council is in a Closed Meeting session, or;
 - (d) A previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.
- 29.2 A motion to adjourn shall be put without comment or debate.
- 30.0 **CLOSED MEETING SESSION**
- 30.1 Subject to the provision of Section 20.4 and unless otherwise determined by Council, upon the passing of a motion that the Council enter into a Closed Meeting session, the Mayor shall be the Chairperson thereof and shall maintain order in the Closed Meeting session.
- 30.2 Subject to the provisions of Section 11.0, the rules of order for the conduct of a meeting of Council shall apply to the proceedings held in a Closed Meeting.
- 30.3 Council has no power in a Closed Meeting session to pass any bylaw or resolution apart from the resolution necessary to revert back to an open meeting.
- 30.4 Should a member of Council wish to raise a discussion item that falls within sections 16 – 29 of the Freedom of Information and Protection of Privacy Act, RSA 2000 and relates to a matter that is being discussed in public session, a member shall call for a motion to go into a Closed Meeting to discuss the element related to sections 16 – 29 of FOIPP. Members of the public will be asked to exit Council Chambers.
- 31.0 **COMMITTEES**
- 31.1 Council may establish Council committees and other bodies as necessary under the Act and shall determine the Terms of Reference for said Committees:
- 31.2 The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 31.3 When establishing a Committee, Council must adopt a Terms of Reference for the Committee that:
- (a) Names it;
 - (b) Establishes membership, purpose and authority;
 - (c) Sets the term or directs that the committee exists on an on-going basis at the pleasure of Council; and
 - (d) Allocates any necessary budget or other resources.
- 31.4 The size of a quorum required for a meeting of a special or standing committee shall be determined on the number of members specifically named to the committee only.
- 31.5 Unless Council designated the Chairperson of a committee, designates who shall select the Chairperson or the manner in which he/ she shall be selected, each standing or special committee shall select its own Chairperson.

- 31.6 The Legislative Coordinator will facilitate an annual review by Council of all Committees' Terms of Reference prior to the annual Organizational Meeting and committee appointments.
- 31.7 Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the approved Terms of Reference.
- 31.8 The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 31.9 At its first meeting each year, a Committee shall elect a Chairperson and Vice-Chairperson for a one (1) year term from among the Members unless Council designates:
- (a) the Chairperson of a Committee; or
 - (b) the manner in which the Chairperson shall be selected.
- 31.10 A Member of a Committee can remain in the position of Chairperson for a maximum of three terms of office.
- 31.11 A Chairperson of a Committee may be removed from office by a vote of a majority of the members of the Committee. No motion to remove the Chairperson shall be in order unless Notice of Motion has been given in writing at a regular meeting of the Committee held at least seven days prior to the meeting at which the motion is considered.
- 31.12 The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.
- 31.13 In the absence or inability of the Chairperson to preside over a meeting, the Vice-Chairperson shall preside and shall exercise the same powers, duties and responsibilities that the Chairperson would be entitled to exercise if present.
- 31.14 In the absence or inability of both the Chairperson and Vice-Chairperson to preside over a meeting, the members present, if they constitute a quorum, shall elect one of the members present to preside for that meeting.
- 31.15 A Committee shall conduct its meetings in public in accordance with the provisions of the Act.
- 31.16 Committees shall adhere to the following minimum meeting requirements:
- (a) Committees shall establish, on an annual basis, a schedule of regular meetings;
 - (b) a regular meeting schedule established under this section must be filed with the Legislative Coordinator for a minimum of three (3) clear days prior to the first meeting in the schedule;
 - (c) the Chairperson may call a meeting of the Committee at any time and must do so if a majority of Committee members so request in writing, including a

statement of purpose of the meeting. A Special Meeting requested by Committee members must be held within 14 days after the request is received; and

- (d) notice of Committee meetings not approved in the established annual schedule, or cancellation of a previously called meeting, must comply with requirements for Public Notice as set out in this bylaw and be filed with the Legislative Coordinator, a minimum of 48 hours prior to the meeting.

31.17 Minutes must be prepared for all Committee meetings and must:

- (a) include all decisions and other proceedings;
- (b) include the names of Committee members present at and absent from the meeting;
- (c) include any abstentions made under the Municipal Government Act by any member and the reason for abstention;
- (d) include the signatures of the Chair and the Recording Secretary; and
- (e) be retained in a safe manner and be available upon request. A final copy of minutes must be filed with the Legislative Coordinator within a minimum of three working days after being confirmed by the Committee.

31.18 When a Committee is of the opinion that a meeting should be held in a Closed Meeting, the motion passed to authorize the Closed Meeting shall include the reason for holding the Closed Meeting, and the Closed Meeting shall be conducted in accordance with the Act.

31.19 Committee meetings shall be open to all Members of Council, but only those Members specifically appointed to that Committee, or appointed ex-officio are entitled to take part in discussion and debate and vote on any matter before the Committee.

31.20 A Member of a Committee who has a pecuniary interest in a matter before the Committee shall disclose the general nature of the interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.

31.21 Any member absent from three (3) consecutive regular meetings of a Committee, unless such absence is authorized by resolution of the Committee, will automatically forfeit his/her membership as of the date of the third consecutive meeting absent from. Any member forfeiting his/her membership may be eligible for re-appointment in the future but not for the unexpired portion of the term forfeited.

31.22 No Committee or any member of a Committee has:

- (a) power to pledge the credit or course of action of the Village or enter into any agreement on behalf of the Committee or Village;
- (b) power to authorize any expenditure to be charged against the Village without prior approval by Council; or

- (c) authority to act except as established in the Terms of Reference for the Committee.
- 31.23 Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.
- 31.24 A Committee shall report to Council, as required.
- 31.25 The C.A.O. shall appoint an Administrative Representative to each Committee who shall:
- (a) ensure required notice is given, and accurate minutes are kept, for all Regular and Special Meetings of the Committee;
 - (b) provide advice, research, information and additional support staff as required by the Committee; and
 - (c) not be a member of the Committee and may not vote on any matter.
- 31.26 All Committees are accountable to Council.
- 32.0 BYLAWS**
- 32.1 Where a committee of Council approves the principles of the subject matter of a proposed bylaw, it shall refer the matter to the C.A.O. with instructions for the preparation of the bylaw.
- 32.2 Unless and until the bylaw is approved by the C.A.O. as to form, phraseology and legal validity, a committee to which a bylaw is referred to for preparation shall not submit the bylaw to Council in final form for enactment.
- 32.3 Where a bylaw is presented to Council for enactment, the C.A.O. shall cause the number and the short title of the bylaw to appear in the agenda in the appropriate place.
- 32.4 Every bylaw shall have three readings.
- 32.5 A bylaw shall be introduced for its first reading by the motion that the bylaw, specifying its number and short title be read a first time.
- 32.6 Council shall vote on the motion for the first reading of the bylaw without amendment or debate.
- 32.7 If a member does not elaborate on the subject matter of the bylaw or phrase his/ her question so as to set out his/ her opinion for or against the bylaw, notwithstanding the provisions of Section 30.2, he/ she may ask a question(s) concerning the bylaw.
- 32.8 A bylaw shall be introduced for its second reading by the motion that it be read a second time, specifying the number of the bylaw.
- 32.9 After a member has made the motion for the second reading of the bylaw Council may:
- (a) Debate the substance of the bylaw, and;

(b) Propose and consider amendments to the bylaw.

32.10 A proposed amendment shall be put to a vote and if carried, shall be considered as having been read a first time and incorporated in the bylaw.

32.11 Where a bylaw deals in whole or in part on a matter of confidentiality, Council may, after the first reading thereof, go into a Closed Meeting session to debate the confidential matters of the bylaw.

32.12 After a motion has been made for the second reading of a bylaw or after the Council has gone into a Closed Meeting session to debate the second or third reading of the bylaw, a member may require all or any portion of the bylaw to be read at length.

32.13 The C.A.O. shall be responsible for and cause a keeping of a record of any amendments to the bylaw passed by Council.

32.14 When all amendments have been accepted or rejected, the motion for the second reading of the bylaw as amended shall be put.

32.15 A motion for the third reading of a bylaw shall give the number and the short title of the bylaw.

32.16 It shall not be necessary to read the bylaw aloud for the third reading.

32.17 Unless the members present at the meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.

32.18 If Council unanimously agrees that a bylaw may be presented for a third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the bylaw than if it has received a third reading at a subsequent meeting.

32.19 After council votes affirmatively for a third reading of a bylaw it:

- (a) Becomes a municipal enactment of the Village, and;
- (b) Is effective immediately unless the bylaw provides otherwise.

32.20 After passage, a bylaw shall be signed by the Mayor or by a member presiding at the meeting at which it was passed and by the C.A.O. and shall be impressed with the corporate seal of the Village.

32.21 Where prescribed by provincial statute requiring a bylaw to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes.

32.22 After a bylaw requiring a vote of the electorate has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.

32.23 Where a member inquiry involves a written answer to be given at a future meeting and it appears to the C.A.O. that the cost to the Village which will be incurred by reason of:

- (a) Time of Village employees which must be taken from performance of their regular duties or overtime which must be worked, or;
- (b) The need to hire additional employees, or;

- (c) The necessity of obtaining and paying for the information from other than Village employees;

and it is likely to be more than five hundred dollars and no appropriation has been made for such expenditure in the budget of any department, then the C.A.O. shall report the anticipated cost to Council and shall not proceed with the investigation necessary to answer the inquiry, unless and until Council directs that the inquiry shall be made and provides in a supplementary budget or otherwise for the payment of the cost.

32.24 Notwithstanding anything else contained in this Section or elsewhere in this bylaw, the subject matter of an inquiry is not debatable until the reply thereto has been made or presented to Council.

32.25 Notwithstanding the other provisions of this Section, a member of Council wishing to obtain information or to make an inquiry may instead of following the procedure set out in Section 19.2, produce the inquiry in writing and forward the same to the C.A.O. with the request that it be discussed with the Mayor.

32.26 Upon receipt of the inquiry and the request, the C.A.O. shall discuss the inquiry with the Mayor who may refer the inquiry;

- (a) To the next meeting of Council, or;
- (b) Directly to the Councillor who made the inquiry.

33.0 STANDING POLICY COMMITTEES & SUB-COMMITTEES THEREOF

33.1 In accordance with the MGA, the Mayor is an ex-officio member of each of the committees of Council.

33.2 The C.A.O. is a non-voting ex-officio member of all committees.

33.3 If directed by Council, any member attending a meeting on behalf of Council must vote in accordance with Council's direction.

33.4 When any matter relating to proceedings in Council or in the committees thereof arises which is not covered by a provision of this bylaw, the matter shall be decided by a reference to the rules of the House of Commons of Canada as set out in the current edition of Beauchesne's Parliamentary Rules and Forms.

34.0 RESCIND

34.1 This bylaw rescinds Bylaw 2017-001 and any amendments thereto and shall come into force when it receives THIRD and FINAL reading and is duly signed.

READ a FIRST time this 17 day of April, 2020.

Mayor

CAO

READ a SECOND time this ____ day of May, 2020.

Mayor

CAO

READ a THIRD and FINAL time this ____ day of May, 2020.

Mayor

CAO



RECEIVED JAN 28 2021

January 20, 2021

Village of Caroline
PO Box 148
Caroline, AB T0M 0M0

Attn: Mayor and Council

RE: Need for a Stronger Western Canadian Municipal Advocate

The past few years have presented convincing evidence of the continued lack of advocacy and blatant disregard at the federal level for Western Canada's needs and one of its highly significant industries that impacts us all: the natural resources industry. Our Council here at the Municipal District of Bonnyville (M.D.) is beyond frustrated with this lack of effective representation that Western Canadian municipalities receive.

Currently, our only voice at the national table is that of the Federation of Canadian Municipalities (FCM). From their website, FCM states they *"...advocate for municipalities to be sure their citizens' needs are reflected in federal policies and programs. Year after year, our work benefits every municipal government and taxpayer in Canada, and our programming delivers tools that help municipalities tackle local challenges."*

Question: Do you feel that FCM advocates for the needs of your municipality or western Canada?

Question: Does the annual FCM Conference agenda/tours provide relevant value for your municipality?

Question: Are the needs of western Canada different than those of eastern Canada, and if so, is it time we entertain the idea of a WCM (Western Canadian Municipalities)?

To their credit, FCM did add a Western Economic Solutions Taskforce as one of their 15 program areas. Unfortunately, this initiative – which was created to mitigate the genuine alienation and hostility western Canadian municipalities experienced at the 2019 FCM Annual Conference held in Quebec City – has not produced any real results.

Our hope is that this letter will spark the much-needed conversation and potential solution to this long-standing issue. We sincerely request that you and your Council take the time to truly reflect on the level of service you are receiving from your current federal advocate. Are they truly the federal voice advocating for your citizens and your municipality?



The M.D. and many other communities across Alberta and western Canada are proud supporters and partners of the oil and gas industry. We wish to be a part of a solution that supports industry competitiveness rather than be forced to absorb Ontario's and Quebec's concepts of crippling changes that impact our municipal sustainability.

Thank you in advance for your Council's reflection on this topic and we look forward to hearing any feedback you may have.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "G. Sawchuk", is written over a light blue horizontal line.

Greg Sawchuk
Reeve

cc: Mr. Barry Morishita, President, Alberta Urban Municipalities Association
Mr. Paul McLauchlin, President, Rural Municipalities of Alberta

/eq



309B Macleod Trail SW
High River, Alberta Canada T1V 1Z5
P: 403.652.2110 F: 403.652.2396
www.highriver.ca

February 3, 2021

OFFICE OF THE MAYOR

VIA E-MAIL: info@villageofcaroline.com

Office of the Mayor,
Village of Caroline
PO Box 148
Caroline, AB TOM OMO

Attention: Mayor John Rimmer

RE: Reinstatement of the 1976 Coal Development Policy

Dear His Worship:

In June of 2020, the Government of Alberta rescinded the Coal Development Policy (Coal Policy) without adequate consultation with First Nations, environmental groups, residents, property owners and local governments. This policy was originally developed with the intended purpose to guide coal extraction along the eastern slopes of the Rockies based upon a land use classification system and dictated where and how coal leasing, exploration and development could occur.

The Coal Policy introduced in 1976, guided coal extraction in one of the most important landscapes in Alberta and Canada. The Eastern Slopes provides water to users from the Rockies to the Hudson Bay. For 44 years, the policy provided essential protection of valuable water resources, ensuring downstream communities had access to clean drinking water, that farmers had access to irrigation water to protect their livelihoods and that ecosystems that tourists come to experience remained in their pristine state.

The rescindment of any policy that affects public lands and/or water resources, requires public consultation with First Nations, environmental groups, residents of Alberta, property owners and local municipalities. Without that consultation, our democratic processes are undermined.

In response to the Government of Alberta's action, the Town of High River's Council adopted the following resolution at its Regular Meeting of Council on January 11, 2021:

BE IT RESOLVED THAT Council direct Administration to draft a letter to Premier Jason Kenney, requesting the immediate reinstatement of the 1976 Alberta Coal Policy which was rescinded on June 1, 2020;

***AND THAT** the letter requests that the Government of Alberta begin public consultation with Indigenous groups, environmental groups and all stakeholders in Alberta on any proposed revisions or replacement to this policy;*

***AND FURTHER THAT** this letter be sent to the Minister of Environment & Parks Honorable Jason Nixon, Minister of Energy Honorable Sonya Savage as well as the MLA for Livingstone-Macleod Roger Reid.*

This letter was sent to the Premier and Ministers on January 12, 2021 and a meeting has been requested with the Premier. To date, the Town of High River has neither received a response to our letter nor a meeting with the Premier.

Other local governments, public officials and Albertans have called upon the Government of Alberta to reinstate the Coal Policy. In response, the Government of Alberta has cancelled some of the coal leases but this is not adequate in order to protect water resources for downstream communities, such as High River.

Therefore, at the February 1, 2021 Special Meeting of Council, the following resolution was adopted:

***WHEREAS** Council adopted resolution #RC 14 -2021 requesting the Province of Alberta immediately re-instate the 1976 Coal Development Policy;*

***AND WHEREAS** coal exploration and open pit mining will impact water resources for downstream communities affecting businesses, residents, ranchers, farmers and ecosystems;*

***AND WHEREAS** coal exploration is causing irreparable damage to the landscapes and watersheds as well as adversely affecting the public's access, use and enjoyment of Crown lands on the Eastern Slopes of Alberta;*

***AND WHEREAS** local First Nations groups, municipalities, landowners and ranchers are legally challenging the Province's rescindment of the 1976 Coal Policy in the Courts;*

***BE IT RESOLVED THAT** Council request all coal exploration be immediately ceased on the Eastern Slopes of Alberta and cease issuance of any new exploration permits on the Eastern Slopes of Alberta until public consultation has taken place regarding the future of coal mining on the Eastern Slopes of Alberta;*

***AND THAT** Council request the Government of Alberta & Premier Jason Kenney issue an immediate stop work order for all existing coal exploration permits on the Eastern Slopes of Alberta and cease issuance of any new exploration permits on the Eastern Slopes of Alberta until public consultation has taken place regarding the future of coal mining on the Eastern Slopes of Alberta;*

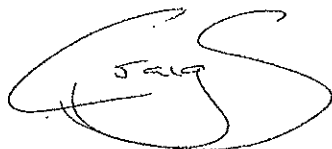
***AND THAT** Council direct Administration to investigate legal options relating to the damage caused due to exploration on Alberta's Eastern Slopes.*

***AND FURTHER THAT** Council direct Administration to prepare a letter with a copy of this resolution to all members of the Federation of Canadian Municipalities, Alberta Urban Municipalities Association, Rural Municipalities of Alberta, Municipalities of Saskatchewan, Saskatchewan Association of Rural Municipalities and Association of Manitoba Municipalities requesting their support to re-instate the 1976 Coal Development Policy.*

In light of this resolution, the Town of High River is respectfully requesting that you consider drafting a letter of support to the Government of Alberta for the immediate Exploration Stop Work Order as well as the reinstatement of the Coal Policy.

Thank you for considering our request,

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Snodgrass", enclosed within a large, loopy, handwritten flourish.

Craig Snodgrass
Mayor

CS/cp/kr

