

Organizational and Closed Meeting Agenda
for Tuesday, October 15, 2024, at 5:30 p.m. to be held
in the Council Chambers, in the Town Hall Complex,
at 240 Main Street, Milk River, Alberta



1. Call to Order
2. Adoption of Agenda
3. Appointment of Deputy Mayor
 - 3A) Appointment of Deputy Mayor
4. Elected Official Appointments
 - 4A) Elected Official Appointments to Authorities, Boards, Commissions and Committees
5. Date, Time, and Place of Regular Council Meetings
 - 5A) Establish Date, Time, and Place of Regular Council Meetings
6. Bylaw Review
 - 6A) Code of Conduct
 - 6B) Remuneration and Expense
 - 6C) Procedural
7. Appointment of Auditor
 - 7A) Auditor Appointment
8. Appointment of Assessor
 - 8A) Assessor Appointment
9. Closed Session
10. Public at Large Appointments
 - 10A) Public at Large Appointments to Authorities, Boards, Commissions and Committees
11. Adjournment

Request for Decision

Deputy Mayor Appointment

October 15, 2024



RECOMMENDATION

That Council appoint Councillor Michaelis as the Deputy Mayor for 2024-2025.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193
Code of Conduct Bylaw
Procedural Bylaw

BACKGROUND

At the annual Organizational Meeting, Council appoints the Deputy Mayor from within the Council for the following year.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

None

Request for Decision

Elected Official Appointments

October 15, 2024



RECOMMENDATION

That Council set the following Elected Official appointments for the 2024-2025 year.

Chief Mountain Regional Solid Waste Services Commission • Town Agreement (2000)	1 Councillor 1 Alternate	
Chinook Arch Regional Library Board • Town Agreement (2021)	1 Councillor	
Chinook Intermunicipal Subdivision and Development Appeal Board • Town Bylaw 1018	1 Councillor 2 Public at Large	
Committee of the Whole • When required	5 Councillors	All of Council
Family & Community Support Services • Town Bylaw 625 • Agreement (1982) • FCSS Governance Policies	1 Councillor 1 Alternate	
Heritage Handi-Bus • Handi-Bus Bylaws	1 Councillor	
Canada's Western Gateway Trade & Logistics Corridor	Silent	
Intermunicipal Collaboration Framework Committee • ICF Agreement (2020)	2 Councillors 1 Alternate	
Mayors and Reeves	Mayor or Deputy Mayor	
Milk River and District Ag Society • Ag Society Bylaw (2020)	1 Councillor - nonvoting rights	
Milk River and District Senior Citizens Society • Society Bylaws	Silent	
Milk River Cemetery Board • Cemetery Bylaws	1 Councillor	
Milk River Community Business Association • Association Bylaws	Silent	
Milk River Health Professionals Attraction and Retention Committee • Committee Bylaws	Designate	
Milk River Municipal Library • Libraries Act • Town Bylaw 574	No more than two Councillors	

Milk River Watershed Council Canada • Watershed Bylaw	Membership	
Municipal Planning Commission Subdivision & Development Authority • Town Bylaw 803	2 Councillors 3 Public at Large	
Oldman River Regional Services Commission • ORRSC Bylaw 2013-2	1 Councillor 1 Alternate	
Quad Council	All of Council	All of Council
Regional Assessment Review Board • Town Bylaw 1039-23 / 3-year term	1 Councillor 1 Alternate	Jon Hood
Regional Emergency Advisory Committee • Town Bylaw 1030 • CoWREP Terms of Reference	1 Councillor 1 Alternate	
Ridge Country Housing • Housing Business Plan 2023-2025	1 Councillor 1 Public at Large	
Ridge Regional Public Safety Services • Ridge Bylaw 001-16	1 Councillor	
Riverside Community Golf Course Society • Society Bylaws	Silent	
SouthGrow • Articles of Association (2021)	1 Councillor 1 Alternate	
Swimming Pool Committee • Town Terms of Reference	1 Councillor 4 Public at Large	
Veteran's Memorial Highway Highway 36	1 Councillor	

LEGISLATIVE AUTHORITY

BACKGROUND

At the required organizational meeting of council, **elected officials are to be appointed to various authorities, boards and commissions.**

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

None

Request for Decision

Regular Council Meeting Dates

October 15, 2024



RECOMMENDATION

That Council set the following dates as the regular council meetings for the 2024-2025 year, to begin at 5:30 p.m.

November 12
December 9
January 13
February 10
March 10
April 14
May 12
June 16
July 14
August 11
September 8
October 14 (Tuesday)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193

BACKGROUND

At the required organizational meeting of council, regular council meeting dates and time shall be set.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

None

Request for Decision

Code of Conduct Bylaw

October 15, 2024



RECOMMENDATION

That Council accept the Code of Conduct Bylaw review as information.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193

Code of Conduct Bylaw

Procedural Bylaw

BACKGROUND

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

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

1. Code of Conduct Bylaw 1055

**TOWN OF MILK RIVER
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1055**

**A BYLAW OF THE TOWN OF MILK RIVER, IN THE PROVINCE OF ALBERTA, TO ESTABLISH
A CODE OF CONDUCT FOR MEMBERS OF COUNCIL**

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

AND WHEREAS, pursuant to section 153(e.1) of the *Municipal Government Act*, Councillors have a duty to adhere to the code of conduct established by the Council;

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

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

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

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

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

1. Short Title

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

2. Definitions

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

"Act" means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;

"Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the Chief Administrative Officer;

"CAO" means the Chief Administrative Officer of the Municipality, or their delegate, who as per the *Municipal Government Act*, is the only employee of Council;

"Councillor(s)" includes the chief elected official;

"FOIP" means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;



"Investigator" means Council, an ad hoc committee of Council or the individual or body corporate appointed by Council to investigate and report on a complaint;

"Municipality" means the municipal corporation of the Town of Milk River;

"Receiving Body" means the Mayor and Deputy Mayor or, if the complaint is against the Mayor and/or Deputy Mayor, the Deputy Mayor and subsequent Deputy Mayor as per the Deputy Mayor rotation schedule.

3. Purpose and Application

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

4. Representing the Municipality

4.1. Councillors shall:

4.1.1. act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;

4.1.2. perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;

4.1.3. conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and

4.1.4. ensure that conduct in their private affairs does not damage or have the potential to negatively impact the reputation of Council, Administration or the community.

5. Communicating on Behalf of the Municipality

5.1. A Councillor must not claim to speak on behalf of Council unless authorized to do so.

5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

5.3. A Councillor who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Councillor personally disagrees with Council's position.

5.4. Councillors shall not make a statement when they know that statement is false.

5.5. Councillors shall not make a statement with the intent to mislead Council or members of the public.

5.6. This Bylaw applies to all forms of communication.



6. Respecting the Decision-Making Process

6.1. The appropriate forum for healthy and fulsome debate and discussion of matters before Council is in a Council meeting.

6.2. All Councillors should be given a full opportunity to address issues before Council in a full, open, and professional manner to encourage and promote healthy debate of issues.

Decision making authority lies with Council, and not with any individual Councillor. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Councillor shall, unless authorized by Council, attempt to bind the Municipality, or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.

6.3. Councillors shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

6.4. Councillors shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

6.5. While an individual Councillor may publicly state that they did not vote with the majority of Council on an issue, this type of statement must be made in a manner that respects Council, Council's decision and other elected officials.

7. Upholding the Law

7.1. Councillors shall uphold the law established by the Parliament of Canada and the Legislature of Alberta.

7.2. Councillors shall respect the Municipality as an institution, its bylaws, policies, and procedures and shall encourage public respect for the Municipality, its bylaws, policies, and procedures.

7.3. A Councillor must not encourage disobedience of any bylaw, policy, or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

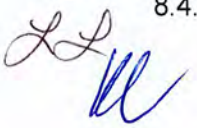
8. Respectful Interactions with Council Members, Staff, the Public and Others

8.1. Councillors shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.

8.2. Councillors shall treat one another, employees of the Municipality and members of the public with courtesy, dignity, and respect and without abuse, bullying or intimidation.

8.3. Councillors shall not use indecent, abusive, or insulting words or expressions toward another Councillor, any employee of the Municipality or any member of the public.

8.4. Councillors will treat all people in good faith and without bias and shall not discriminate against



any person on the basis of:

- 8.4.1. differences in personal opinions; or
 - 8.4.2. race, ancestry, place of origin, colour, ethnic origin, culture, citizenship, religion, creed, language, gender, sexual orientation, age, family status, disability, or occupation.
- 8.5. Councillors shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Councillor or group of Councillors.
- 8.6. Councillors must not:
- 8.6.1. involve themselves in matters of Administration, which fall within the jurisdiction of the CAO;
 - 8.6.2. use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
 - 8.6.3. maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

9. Confidential Information

- 9.1. Councillors must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
- 9.2. Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
- 9.2.1. the security of the property of the Municipality;
 - 9.2.2. a proposed or pending acquisition or disposition of land or other property;
 - 9.2.3. a tender that has or will be issued but has not been awarded;
 - 9.2.4. contract negotiations;
 - 9.2.5. employment and labour relations;
 - 9.2.6. draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
 - 9.2.7. law enforcement matters;



9.2.8. litigation or potential litigation, including matters before administrative tribunals;
and

9.2.9. advice that is subject to solicitor-client privilege.

9.3. In the course of their duties, Councillors may also become privy to confidential information received outside of a "closed" session. Councillors must not:

9.3.1. disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;

9.3.2. access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Councillors duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;

9.3.3. use confidential information for personal benefit or for the benefit of any other individual or organization.

10. Conflicts of Interest

10.1. Councillors have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.

10.2. Councillors are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.

10.3. Councillors shall approach decision-making with an open mind that is capable of persuasion.

10.4. It is the individual responsibility of each Councillor to seek independent legal advice, at the Councillors sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

11. Improper Use of Influence

11.1. Councillors shall not unduly use the influence of the Councillors office for any purpose other than for the exercise of the Councillors official duties.

11.2. Councillors shall not act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.

11.3. Councillors shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.

11.4. Councillors shall refrain from using their positions to obtain employment with the Municipality



for themselves, family members or close associates. Councillors are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

12. Use of Municipal Assets and Services

12.1. Councillors shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Councillor, subject to the following limited exceptions:

12.1.1. municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Councillor for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges;

12.1.2. electronic communication devices, including but not limited to desktop computers, laptops, tablets, and smartphones, which are supplied by the Municipality to a Councillor, may be used by the Councillor for personal use, provided that the use is not for personal gain, offensive or inappropriate.

12.2. Councillors shall not use any facilities, equipment, supplies, services, municipal logo, or other resources of the Municipality for any election campaign or campaign-related activity.

13. Orientation and Other Training Attendance

13.1. Every Councillor must attend the orientation training offered by the Municipality within 90 days after the Councillor takes the oath of office.

13.2. Should an Authority, Board or Commission require orientation training, the appointed Councillors attendance is mandatory. Attendance at additional training sessions throughout the Council term is discretionary.

14. Remuneration and Expense Claims

14.1. Councillors are stewards of public resources and shall avoid waste, abuse, and extravagance in the use of public resources.

14.2. Councillors shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies, and procedures regarding claims for remuneration and expenses.

15. Gifts and Hospitality

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

15.2. Councillors may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the hospitality, gift or benefit does not exceed \$500.00. In the event that the value of the hospitality, gift or benefit exceeds \$500.00, it must be reported to



Council at the next Council meeting.

- 15.3. Gifts received by a Councillor on behalf of the Municipality as a matter of official protocol shall be left with the Municipality upon receipt of gift.

16. Complaint Process

- 16.1. Any person who has identified or witnessed conduct by a Councillor that the person reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:

16.1.1. Complaints will not be accepted within 60 days prior to a municipal general election;

16.1.2. All complaints shall be made in writing (see Appendix A: Council Code of Conduct Complaint Form) and shall be dated and signed by an identifiable individual;

16.1.3. All complaints shall be addressed to the Receiving Body;

16.1.4. The complaint must set out reasonable and probable grounds for the allegation that the Councillor has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;

16.1.5. Upon receipt of a complaint under this Bylaw, the Receiving Body will strive to conduct an initial assessment of the complaint within 30 days. If the Receiving Body is of the opinion that the complaint:

16.1.5.1. is not about a current Councillor;

16.1.5.2. is frivolous or vexatious or is not made in good faith,

16.1.5.3. does not allege a contravention of this Bylaw or otherwise does not comply with the requirements of this Section;

16.1.5.4. alleges criminal activity; or

16.1.5.5. is covered by other applicable legislative appeal, complaint or court process,

the Receiving Body shall reject the complaint and advise the complainant in writing, with reasons for the rejection.

- 16.1.6. Unless a complaint is rejected by the Receiving Body, the complaint shall be added as a confidential item to the agenda of the next regular meeting of Council or a special meeting of Council called to consider the complaint. A copy of the complaint shall be provided to all members of Council, including the Councillor(s) who is the subject of the complaint, as part of the confidential agenda package. Depending on the nature of the complaint, and after considering any recommendation from the Receiving Body, Council shall take such steps as it may consider appropriate in the circumstances, which may include:

16.1.6.1. proceeding to investigate the complaint;

- 16.1.6.2. authorizing an ad hoc committee of Council to investigate the complaint and report to Council;
- 16.1.6.3. retaining a third-party investigator to investigate the complaint and report to Council; or
- 16.1.6.4. if the material facts are not in dispute or misconduct is admitted, deciding on the complaint without further investigation;
- 16.1.7. All complaint investigations shall be conducted in a fair, timely, and confidential manner that respects the principles of procedural fairness and natural justice;
- 16.1.8. The complainant and the Councillor(s) who is the subject of the complaint will receive written notice of the investigation process. During an investigation a complainant or witness may be asked to provide additional information. The respondent Councillor(s) is entitled to disclosure of all relevant information gathered during an investigation;
- 16.1.9. Once all relevant information has been provided to the respondent Councillor(s), the respondent Councillor(s) will be given a reasonable opportunity to respond to the complaint and provide any further information in support of their response prior to the Investigator completing their investigation;
- 16.1.10. If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide Council and the Councillor(s) who is the subject of the complaint, a written report outlining the Investigator's findings and conclusions;
- 16.1.11. All proceedings of the Investigator regarding the investigation shall be confidential;
- 16.1.12. The Investigator shall strive to complete an investigation within 90 days of the date the complaint is referred to the Investigator;
- 16.1.13. A Councillor who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed.
- 16.2. A Councillor who is the subject of an investigation is entitled to be represented by legal counsel, at the Councillors sole expense.

17. Public Release of Report

- 17.1. On completion of the complaint investigation process, the report of the findings of the Investigator, if applicable, shall be released to the public, to the extent possible subject to FOIP, at the next regular Council meeting and posted to the Town's website.

18. Compliance and Enforcement

- 18.1. Councillors shall uphold the provisions of this Bylaw.

- 18.2. Councillors are expected to co-operate in every way possible in securing compliance with the

application and enforcement of this Bylaw, including the complaint investigation process.

18.3. Councillors shall not:

- 18.3.1. undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
- 18.3.2. obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

18.4. Sanctions that Council may impose, by resolution passed in public, on a Councillor who is found to have breached this Bylaw may include:

- 18.4.1. a letter of reprimand addressed to the Councillor;
- 18.4.2. requesting the Councillor to issue a letter of apology;
- 18.4.3. requesting the Councillor to issue a verbal apology with all parties in the Mayor's Office;
- 18.4.4. requesting the Councillor to issue a public apology during a regular Council meeting;
- 18.4.5. publication of a letter of reprimand or a request for apology and the Councillors response;
- 18.4.6. requiring the Councillor to attend specified training;
- 18.4.7. suspension of attendance at conferences, conventions, and special events;
- 18.4.8. suspension or removal of the appointment of the Councillor as the chief elected official under section 150(2) of the Act;
- 18.4.9. suspension or removal of the appointment of the Councillor as the deputy chief elected official or acting chief elected official under section 152 of the Act;
- 18.4.10. suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- 18.4.11. suspension or removal from some or all Council committees and bodies to which Council has the right to appoint Councillors, followed by subsequent notification to those Authorities, Boards and Commissions;
- 18.4.12. reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at Council meetings;
- 18.4.13. reporting the misconduct to Municipal Affairs;
- 18.4.14. any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Councillor from



fulfilling the legislated duties of a Councillor and the sanction is not contrary to the Act.

19. Review

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

20. Repeal

- 20.1. Bylaw 1004 and all amendments thereto are hereby repealed.

This bylaw shall come into effect at such time as it has received third reading and has been signed in accordance with the Municipal Government Act, as amended from time to time.

Read a first time this 8th day of April 2024.

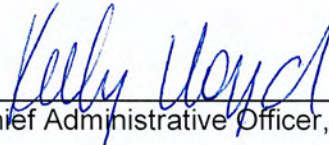
Read a second time this 8th day of April 2024.

Received Unanimous Consent for presentation of third reading this 8th day of April 2024.

Read a third and final time and passed this 8th day of April 2024.



Mayor, Larry Liebelt



Chief Administrative Officer, Kelly Lloyd

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 8th day of April, 2024.

Request for Decision

Remuneration and Expense Policy

October 15, 2024



RECOMMENDATION

That Council accept the Remuneration and Expense Policy review as information.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193
Procedural Bylaw

BACKGROUND

As per Council's Procedural Bylaw, the Remuneration and Expense Policy shall be reviewed at the annual Organizational Meeting.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

1. Remuneration and Expense Policy 990

BY-LAW NO. 990

A BY-LAW OF THE TOWN OF MILK RIVER, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE PERSONAL REMUNERATION AND REIMBURSEMENT OF EXPENSES FOR MEMBERS OF COUNCIL AND STAFF.

WHEREAS, pursuant to Section 191 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, a Council has the duties that are imposed on it by this and other enactments and those that the municipality imposes on itself as a matter of policy;

AND WHEREAS, the Council has determined that it became a matter of policy to provide for payment to the members of Council and Staff a remuneration, either annual or otherwise, for attending the meetings of the Council and the committees thereof or for assuming or performing any additional duties;

AND WHEREAS, the Council desires to provide such rates of remuneration and allowances to members of Council and Staff;

NOW THEREFORE, the Council of the Town of Milk River, duly assembled, hereby enacts as follows:

1. **THAT** this Bylaw shall be cited as the Remuneration and Expense Bylaw of the Town of Milk River.
2. **THAT** for the purposes of this Bylaw the year shall run from Organizational Meeting to Organizational Meeting.

PART A: REGULATIONS

1. The Mayor shall be paid an annual honorarium of Four Thousand Dollars (\$4,000.00), one third of which shall be for out of pocket expenses.
2. Members of Council other than the Mayor shall be paid an annual honorarium of Three Thousand Five Hundred Dollars (\$3,500.00), one third of which shall be for out of pocket expenses.
3. All members of Council shall be paid the sum of Hundred Dollars (\$100.00) for each Special Meeting of Council attended.
4. All members of Council shall be paid for each committee meeting attended, including travel time for out of town meetings, the sum of:
 - a. Fifty dollars (\$50) for meeting that is two (2) hours or less in duration,
 - b. Seventy-five dollars (\$75) for a meeting that is between two and four hours in duration (2-4), and
 - c. One hundred fifty dollars (\$150) for a meeting that is longer than four hours (4).

5. When two or more meetings which are held consecutively during the same calendar day will be considered as one meeting and shall be paid the sum of Fifty Dollars (\$50.00).
6. All members of Staff with the exception of the Chief Administration Officer shall be paid the sum of Fifty Dollars (\$50.00) for each committee meeting attended.
7. Travel expenses for all members of Council, the Chief Administrative Officer, and all staff shall be paid as follows:
 - a) Mileage shall be paid at the rate of fifty-three cents per kilometre (\$0.53/km), for each vehicle kilometre travelled on Town of Milk River business by members of Council or Staff. GST shall be deemed to be included.
 - b) Meals shall be compensated at the following rates:
 1. Breakfast \$10
 2. Lunch \$15
 3. Supper \$25
 - c) To make a qualifying meal claim, the member of staff or Council must have been out of Town on business at an hour reasonably required to make such a claim.
 - d) Other meeting allowances may not be claimed in combination with the per diem.
 - e) Lodging and airfare shall be reimbursed upon presentation of receipts and approval of the Chief Administrative Officer for members of staff or the Mayor for members of Council.

PART B: REPEAL AND EFFECTIVE DATE

1. **THAT** By-Law Numbers 984 is hereby repealed.
2. **THAT** By-Law No. 990 come into full force and effect on **January 1, 2016**.

READ a first, second and by unanimous consent of the Councillors present a third and final time this 14th day of December, A.D. 2015.



Mayor – David Hawco



CAO – Ryan Leuzinger

Request for Decision

Procedural Bylaw

October 15, 2024



RECOMMENDATION

That Council accept the Procedural Bylaw review as information.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193

Procedural Bylaw

BACKGROUND

As per Council's Procedural Bylaw, it shall be reviewed at the annual Organizational Meeting.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

1. Procedural Bylaw 1060

BYLAW NO. 1060

A BYLAW OF THE TOWN OF MILK RIVER, IN THE PROVINCE OF ALBERTA, TO DEAL WITH THE PROCEDURE AND THE TRANSACTING OF BUSINESS BY THE MUNICIPAL COUNCIL AND COUNCIL COMMITTEE MEETINGS.

WHEREAS, Section 145 of the Municipal Government Act, being Chapter M-26 R.S.A. 2000 and amendments thereto, deal with meetings of Council, this Bylaw, by virtue of the Act, provides for the regulation of the proceedings of Council and the Committees thereof.

NOW THEREFORE, the Council of the Town of Milk River, duly assembled enacts as follows:

1. TITLE

This Bylaw shall be cited as the "Procedural Bylaw" of the Town of Milk River.

2. DEFINITIONS

Act means the Municipal Government Act, Chapter M-26, as amended.

Agenda means the agenda for a Regular, Special or Committee of the Whole meeting prepared pursuant to Part 5 of this Bylaw.

Bylaw means a Bylaw of the Town.

Chair means the person who has been given authority to direct the conduct of a meeting including the appointed head of a committee.

Committee means any committee, board or other body established by Council under the Municipal Government, unless Council decides that this Bylaw does not apply to any particular Council Committee.

Council means the duly elected Council of the Town of Milk River.

Deputy Mayor means the person appointed by Council pursuant to the provisions of Part 4 of this Bylaw to act as Mayor in the absence or incapacity of the Mayor.

Mayor means the person elected as the Chief Elected Officer under Section 150 of the Act.

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.

Old Business means the business which has been raised at the same or previous meeting and which has not been completed.

Privilege means the rights and immunities of Council collective or the position and conduct of members of Council in their office character as elected representatives and a "matter of privilege" means any matter affecting privilege.

Quorum means minimum number of members of Council or Committee necessary to conduct business.

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Town means the corporation of the Town of Milk River and where the context so requires, means the area included within the boundaries of the Town.

3. GENERAL RULES OF COUNCIL

- 3.1 This Bylaw shall govern all regular meetings, special meetings, committee of the whole, public hearings, annual organizational meetings, and any other meetings as may be directed by Council.
- 3.2 Council Committees shall be established and governed by policy of bylaw approved by Council, where appropriate, authority is delegated to a Council Committee and such committee, and its mandate shall be established by bylaw.
- 3.3 All Committees of Council and all members of Committees, including resident members shall be bound by the voting rules of this Bylaw.
- 3.4 The precedence of the rules governing the procedure of Council is:
 - 3.3.1 the Province of Alberta Municipal Government Act;
 - 3.3.2 Other Provincial Legislation;
 - 3.3.3 Town of Milk River Procedural Bylaw and any amendments thereto;
 - 3.3.4 Robert's Rules of Order.
- 3.5 Agenda
 - 3.5.1 The agenda for each Council meeting is established by the CAO in consultation with the Mayor. The Mayor has final approval of the agenda.
 - 3.5.2 All items for inclusion in the agenda must be submitted to the CAO by noon on the Wednesday before the meeting.
 - 3.5.3 The CAO will prepare and distribute the agenda electronically to Council no later than 4:30 p.m. on the Wednesday prior to the meeting.
- 3.6 Quorum
 - 3.6.1 Should a member of Council arrive late to a meeting or depart prior to the completion of the meeting, the CAO, or their designate, shall record the time of arrival and departure of the Councillor.
 - 3.6.2 If there is no quorum present within fifteen minutes after the time appointed for the meeting of Council, the CAO shall, for the purpose of remuneration, call the roll and take down the names of the members present, and the Council shall stand absolutely adjourned until the next meeting. The agenda for the adjourned meeting will be dealt with at the next regular meeting unless a special meeting is called before or after the next regular meeting to deal with the business of the adjourned meeting. A meeting cannot proceed without quorum.

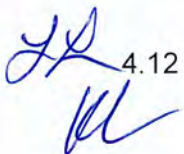


3.6.3 Absences of a member of Council shall be dealt with under the provisions provided in the Act and/or the Code of Conduct Bylaw.

4. PROCEEDINGS AT MEETINGS

- 4.1 The Mayor, when present, shall preside as Chair over all meetings of Council, unless otherwise provided for in this Bylaw.
- 4.2 The Deputy Mayor shall Chair Council meetings when the Mayor is absent or unable to function as Mayor and shall have the powers and responsibilities of the Mayor under this Bylaw.
- 4.3 In the absence or inability of the Mayor and Deputy Mayor to act, the next Councillor scheduled to be Deputy Mayor shall assume the Chair of Council and shall have the powers and responsibilities of the Mayor under this Bylaw.
- 4.4 As a rule, the Chair does not make any motion, but shall be able to voice what they see as a useful motion and seek someone to move the motion.
- 4.5 Direction to administration by Council shall be limited to Council as a whole directing the CAO.
- 4.6 The minutes of the preceding meeting shall have previously been circulated to the Councillors, allowing the minutes circulated to be adopted by a majority vote.
- 4.7 The Chair shall preserve order and decorum and decide questions of order, subject to an appeal to the Council, and the decision of the Chair shall be final unless reversed or altered by a majority vote of the members present without debate.
- 4.8 Every member wishing to speak to a question or motion shall address themselves only to the Chair.
- 4.9 When a request is made to have a member's vote recorded against a question, all present at that time shall be recorded, and the member's votes shall be recorded as voting for, against, and /or abstained for pecuniary interest only, pursuant to the Act.
- 4.10 A member of Council shall be allowed to participate in a Regular or Special meeting of Council through electronic means, which may include using a telephone with the use of the speaker, via a personal computer, or other means as technology advances. A member of Council will only be able to participate in one meeting via electronics means in a row. The per diem rates for a member of Council participating in a meeting via electronic means will be paid at the same rate as if the member of Council is physically present. If the meeting goes into a Closed Session, while a member of Council is participating via electronic means, they will not be able to participate in the Closed Session portion of the meeting.
- 4.11 Audio and video recordings of all meetings of Council are prohibited, unless authorized by a unanimous vote of Council.

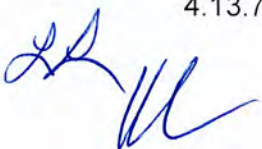
4.12 Motions or Resolutions



- 4.12.1 In all cases not provided for in the proceedings of the Council or in Committee, Robert's Rule of Order shall be followed, and, in such cases, the decision of the Chair shall be final and accepted without debate.
- 4.12.2 No motion bringing in a new matter before Council may be made while any other motion is pending.
- 4.12.3 A recommendation in a report does not constitute a motion until a Council Member has expressly moved it.
- 4.12.4 A motion is not required to be seconded.
- 4.12.5 All motions shall be in writing and recorded before being debated or put from the Chair.
- 4.12.6 The Chair must call for a motion before a vote is taken.
- 4.12.7 A motion may be tabled to enable Council to deal with other more pressing matters. A motion that has been tabled may be brought back at any time by a majority vote and when brought back, it will take precedence over other new motions.

4.13 Voting

- 4.13.1 A Councillor has one (1) vote each time a vote is held at a Council meeting at which a Councillor is present either in person or virtually.
- 4.13.2 If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated.
- 4.13.3 Council shall vote by a show of hands unless other electronic means are available that clearly show how everyone voted.
- 4.13.4 Every member of Council present, shall vote on every matter of Council, unless they are required to or permitted to abstain from voting under this or any other enactment.
- 4.13.5 The Council must ensure that each abstention and the reasons for the abstention are recorded in the minutes of the meeting.
- 4.13.6 When a public hearing on a proposed bylaw or resolution is held, a Councillor:
 - 4.13.6.1 must abstain from voting on the bylaw or resolution if the Councillor was absent from all of the public hearing, and
 - 4.13.6.2 may abstain from voting on the bylaw or resolution if the Councillor was only absent from a part of the public hearing.
- 4.13.7 Before a vote is taken by Council, a Councillor may request that the vote be recorded. When a vote is recorded, the minutes must show the names of the



Councillors present and whether each Councillor voted for or against the proposal or abstained.

4.13.8 Where a Councillor declares a pecuniary conflict of interest under the MGA, that Councillor will absent themselves from Council table while the matter is being discussed and voted upon. Prior to leaving the Council table, the Councillor will describe in general terms the nature of the pecuniary interest, which will be captured as part of the minutes.

4.13.9 The Chair of a meeting must verbally announce the outcome of all votes of Council.

5. ORDER OF BUSINESS

5.1. Regular Meetings

5.1.1. Shall be held on the second Monday of each month provided that where a Regular Council Meeting falls on a holiday, the meeting shall be held on the next following day, not being a holiday, or on such other day as Council decides.

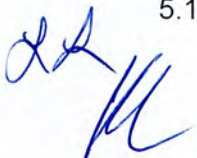
5.1.2. Shall commence at 5:30 p.m. and adjourn by a unanimous vote of the members present. Adjournment of a meeting shall be no later than 9:30 p.m., unless a majority vote of Council extends the meeting for 30 minutes. The Council meeting must be completed before 10:00 p.m., including the extension.

5.1.3. Additions to the agenda will be made by motion and accepted by majority vote of the Council.

5.1.4. The Order of Business of a Regular Meeting shall be as follows:

- A) Call to Order
- B) Additions to the Agenda
- C) Delegations (5:40 pm.)
- D) Approval of Minutes
- E) Business Arising from Minutes
- F) Financial Reports
- G) Administration Reports
- H) Break (10-15 minutes)
- I) Old Business
- J) Bylaws and Policies
- K) New Business
- L) Councillors Reports
- M) Mayor's Report
- N) Closed Session (if required)
- O) Adjournment

5.1.5 Closed Session



5.1.5.1 The rules of the Council shall be observed when Council is in a closed session as far as may be applicable. Recommendations shall be voted on after returning to Regular Meeting.

5.2 Organizational Meeting

5.2.1 Council must hold an organizational meeting annually not later than two weeks after the third Monday in October.

5.2.2 If a meeting date falls on a statutory holiday, it shall be rescheduled for the next working day, unless otherwise authorized by resolution of Council.

5.2.3 Unless the Mayor has been elected at the last General Election, immediately preceding the Organizational meeting, the Mayor shall take the chair and call the meeting to order.

5.2.4 If the Mayor has been elected at the last General Election, immediately preceding the meeting, the CAO shall call the meeting to order and shall preside over the meeting until the oath, prescribed by the Oath of Office Act, has been administered to the Mayor.

5.2.5 After the Mayor has taken the oath, the Mayor shall preside over the meeting and the Councillors shall take the Official Oath of Office.

5.2.6 All Committees and other bodies that Council is entitled to appoint may be changed annually at the time of the Organizational Meeting as set by the statute then in effect.

5.2.7 Appointment and Organization of Committees of Council

5.2.7.1 All elected officials and resident members of Committees of Council, will be appointed at an Organizational Meeting, or by a motion of Council.

5.2.7.2 Terms for Councillors appointed to any Committee are twelve months.

5.2.7.3 Terms for residents at large appointed to a Committee will be a twelve-month term.

5.2.7.4 Residents interested in volunteering to serve on Committees may apply to the Town by way of cover letter outlining their interest. Recommendations for appointments will be made using the following considerations:

5.2.7.4.1 the best interests of the Town;

5.2.7.4.2 the competence of members; and

5.2.7.4.3 willingness to serve.

5.2.8 The Order of Business of the Organizational Meeting shall be limited to:



- A) The appointment of the Deputy Mayor;
- B) The appointment of Council to committees or other bodies;
- C) Setting the date, time and place for regular Council meetings;
- D) A review the Councillor Code of Conduct;
- E) A review of the remuneration and expenses policy;
- F) In an election year, a review of the Procedural Bylaw;
- G) Appoint the auditor;
- H) Appoint the assessor;

5.3 Special Meetings

- 5.3.1 Special Council meetings can be held under the provisions provided in Section 194 of the Act.
- 5.3.2 Special Council meetings should only be held to address time sensitive issues.

5.4 Committee of the Whole

- 5.4.1 The purpose of the Committee of the Whole is to allow for Council and Department heads to have discussions on operational and capital priorities and issues. It shall include Council, the CAO, the Public Works Supervisor, and the Fire Chief. Only the members of Council are able to vote. The Committee of the Whole meets, as required and as determined by Council.
- 5.4.2 The Committee of the Whole Meeting can, by resolution, move into a closed session and exclude any person or persons from the meeting. Recommendations shall be voted on after returning to the Meeting.

5.5 Public Hearing

- 5.5.1 Council shall hold a public hearing when:
 - 5.5.1.1 Required by the MGA;
 - 5.5.1.2 Required by any other legislative or regulation;
 - 5.5.1.3 Road Closure Bylaws; and
 - 5.5.1.4 Or any other matter at the direction of Council.
- 5.5.2 Council, shall by resolution, set a time, date, and location of a public hearing.
- 5.5.3 Unless otherwise approved by resolution of Council, the following shall represent the procedure to conduct a public hearing:
 - A) The Chair of a public hearing shall declare the public hearing open.
 - B) A background shall be provided on the proposed bylaw or resolution.
 - C) Presentations shall be limited to five (5) minutes.
 - D) Persons speaking will be given an opportunity to speak only once.
 - E) Order of presentations shall be as follows:
 - a. Those in support
 - b. Those opposed
 - c. Those deemed affected
 - F) Council shall not allow cross examination of persons giving information



and it will not be necessary for the persons giving information to verify their qualifications.

- G) For clarification purposes, Council may ask questions of the speakers after each presentation.
- H) No verbal or written submissions shall be received after the hearing has been deemed closed.
- I) The Chair of a public hearing shall declare the public hearing closed.

Where there are no persons present as delegations, the hearing procedure shall eliminate items c, d, e, f, and g, as listed above.

5.5.4 After the close of the public hearing, the process of Council is as follows:

- 5.5.4.1 Council may pass the bylaw or resolution.
- 5.5.4.2 Council may make any amendment to the bylaw or resolution as it considers necessary and proceed to pass it without further advertisement or hearing.
- 5.5.4.3 Council may defeat the bylaw or resolution.

6. DELEGATIONS

- 6.1. Delegations who wish to bring any matter to the attention of the Council or who wishes to have any matter considered by the Council, shall address a letter to the Council outlining the subject to be discussed. The letter shall be typewritten or legibly written, signed by the correct name of the writer, delivered, or mailed to the office of the CAO so that it arrives no later than 12:00 p.m. (noon) on the Wednesday immediately preceding the meeting at which it is to be presented, and it shall contain the full mailing address of the writer. If the delegation wishes to appear before Council, it shall be so stated in the letter. The CAO shall then place the person(s) on the next meeting agenda, if possible.
- 6.2. Delegations will be allocated a maximum of 10 minutes to present the subject matter indicated in their request. The Chair of the meeting may extend this maximum time allocation at their choice.
- 6.3. A maximum of 2 delegations will be included on the agenda at a Regular Council meeting.
- 6.4. Delegations may present to Council no more than 2 times per calendar year on items considered to be the same issue.

8. REGULATIONS FOR CONDUCTING BUSINESS IN COMMITTEE

- 8.1. The business of the Committee of the Whole, Authorities, Boards, and other Committees shall be conducted in accordance with the rules governing procedure in the Council, in addition, the following rules shall be adhered to:
 - 8.1.1. The Chairperson shall preside at each meeting, shall vote on all questions submitted and, upon an equal vote, the question shall be negative.
 - 8.1.2. The name of the Chairperson shall appear on all reports and recommendations made by a Committee/Authority/Board.



8.1.3. In the absence of the Chairperson and unless another has been appointed by the Mayor or the Council, one of the other members shall be elected to preside and shall discharge the duties of the Chairperson during the meeting or until the arrival of the Chairperson.

8.1.4. The minutes of the transactions of each Committee/Authority/Board shall accurately kept in a book provided for that purpose and, at each meeting, the minutes of the preceding meeting shall be submitted for approval. After they are approved by a majority of the members present, shall be signed by the Chairperson and the CAO.

8.2 The general duties of all the Committees of Council shall be as follows:

8.2.1 To report to the Council, on all matters connected with the duties imposed upon each such Committee and to recommend such action by the Council as it deems necessary within its terms of reference.

8.2.2 To observe, unless otherwise specifically permitted, the rules prescribed by the Bylaws of the Council.

9. SEVERABILITY

9.1. Should any provision of this Bylaw be invalid, then the invalid provision shall be severed, and the remainder of this Bylaw shall be maintained.

10. REPEAL

10.1. Bylaw 1023 is hereby repealed upon third and final reading.

11. EFFECTIVE DATE

11.1. This Bylaw shall come into full force and effect on the final day of passing.

Read for a first time this the 13th day of May 2024.

Read for a second time this 13th day of May 2024.

Unanimous consent given for consideration of third reading this 13th day of May 2024.

Read for a third and final time this 13th day of May 2024.



Larry Liebelt
Mayor



Kelly Lloyd
Chief Administrative Officer

Signed by the Chief Elected Official and the Chief Administrative Officer this 13th day of May 2024.

Request for Decision

Auditor Appointment

October 15, 2024



RECOMMENDATION

That Council appoint MWG Chartered Professional Accountants as the Town of Milk River's financial auditor for 2024-2025.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193
Code of Conduct Bylaw
Procedural Bylaw

BACKGROUND

As per Council's Procedural Bylaw, an Auditor shall be appointed at the annual Organizational Meeting.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

None

Request for Decision

Assessor Appointment

October 15, 2024



RECOMMENDATION

That Council appoint Benchmark Assessment Consultants inc., as the Town of Milk River's assessor.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193
Code of Conduct Bylaw
Procedural Bylaw

BACKGROUND

As per Council's Procedural Bylaw, an Assessor shall be appointed at the annual Organizational Meeting.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

None

Request for Decision

Public at Large Appointments

October 15, 2024



RECOMMENDATION

That Council appoint _____, _____, and _____ to the Municipal Planning Commission.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 193
Code of Conduct Bylaw
Procedural Bylaw

BACKGROUND

As per Council’s Procedural Bylaw, public members can be appointed at the annual Organizational Meeting.

RISK/CONSEQUENCES

1. Council may provide further direction on any item contained in the report. Council shall be specific in the direction it provides.

FINANCIAL CONSIDERATIONS

None

ATTACHMENTS

None