



REGULAR MEETING OF COUNCIL
Held on Monday September 27, 2021
Virtually, commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

Councillors: B. McGillivray, S. Korbett, L. Jackson and M. Barber

Absent with Regrets: W. Elliott

Staff: L. Wilgosh, Chief Administrative Officer;
L. Rideout, Director of Community Services;
W. Catonio, Director of Finance and Human Resources;
A. Grose, Recreation Manager;
and L. Goss, Administrative Manager

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 6:00 pm.

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

McGILLIVRAY:

That Council for the Town of Pincher Creek approves the September 27, 2021 agenda as presented.

CARRIED 21-359

4. DELEGATIONS

4.1 Jeff Kaupp – Pincher Creek Hockey Association

Jeff Kaupp, representing the Pincher Creek Hockey Association, attended the meeting to present Council with a proposal for a junior team that has expressed interest in playing in Pincher Creek.

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on September 13, 2021

JACKSON:

That Council for the Town of Pincher Creek approve the minutes of the Regular Meeting of Council held on September 13, 2021 as presented.

CARRIED 21-360

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition of Delegation – Pam Davidson – Candidate for Senate

McGILLIVRAY:

That Council for the Town of Pincher Creek receive the information provided by Pam Davidson - Candidate for Senate at the September 13, 2021 regular meeting as presented.

CARRIED 21-361

Handwritten initials in blue ink, appearing to be "D.A." or similar, written over a horizontal line.

7. BYLAWS

7.1 Municipal Borrowing Bylaw 1570-21

JACKSON:

That Council for the Town of Pincher Creek agree to give first reading to the Municipal Borrowing Bylaw #1570-21.

CARRIED 21-362

KORBETT:

That Council for the Town of Pincher Creek agree to give second reading to the Municipal Borrowing Bylaw #1570-21.

CARRIED 21-363

McGILLIVRAY:

That Council for the Town of Pincher Creek upon unanimous consent, agree to present the Municipal Borrowing Bylaw #1570-21 for third and final reading.

CARRIED UNANIMOUSLY 21-364

BARBER:

That Council for the Town of Pincher Creek agree to give third and final reading to the Municipal Borrowing Bylaw #1570-21, and that a copy be attached hereto and form part of the minutes.

CARRIED 21-365

7.2 Council Remuneration Bylaw 1578-21

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to give Bylaw #1578-21 first reading.

CARRIED 21-366

KORBETT:

That Council for the Town of Pincher Creek agree to give Council Remuneration Bylaw No. 1578-21, second reading.

CARRIED 21-367

McGILLIVRAY:

That Council for the Town of Pincher Creek unanimously agree to present Bylaw No. 1578-21, Council Remuneration, for third reading.

DEFEATED

7.3 Council Procedural Bylaw 1596-21

JACKSON:

That Council for the Town of Pincher Creek agree and give first reading to Council Procedural Bylaw 1596-21.

CARRIED 21-368

KORBETT:

That Council for the Town of Pincher Creek agree and give second reading to Council Procedural Bylaw 1596-21.

CARRIED 21-369

McGILLIVRAY:

That Council for the Town of Pincher Creek upon unanimous consent, agree to present the Council Procedural Bylaw #1596-21 for third and final reading.

CARRIED UNANIMOUSLY 21-370

BARBER:

That Council for the Town of Pincher Creek agree to give third and final reading to the Council Procedural Bylaw #1596-21, and that a copy be attached hereto and form part of the minutes.

CARRIED 21-371

8. NEW BUSINESS

8.1 Regional Director of Emergency Management

JACKSON:

That Council for the Town of Pincher Creek adopt the recommendation of the Emergency Advisory Committee that Brett Wuth be appointed the designated officer Regional Director of Emergency Management under the Regional Emergency Management Organization Bylaw #1590-19.

CARRIED 21-372

8.2 2022 Joint Funding Allocations

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the 2022 Joint Funding Allocation at a per capita rate of \$28.76 for a total of \$104,734 from the Town and direct administration to include this amount in the 2022 Operating Budget. FURTHER

That Council for the Town of Pincher Creek approve the 2022 amount for the Grant Writer position in the amount of \$3.25 per capita for a total of \$11,851 from the Town and direct administration to include this amount in the 2022 Operating Budget.

CARRIED 21-373

8.3 Chamber of Commerce Awards of Excellence Sponsorship

KORBETT:

That the Council for the Town of Pincher Creek provide sponsorship of two awards for a total amount of \$900 to the 2021 Awards of Excellence, to be funded from the general contingency fund account 7412002770.

CARRIED 21-374

9. REPORTS

9.1 Upcoming Committee Meetings and Events

Emergency Advisory Committee
Budget
Economic Development Strategy Session
Pincher Creek Foundation
Landfill Association
All Candidates Forum



10. ADMINISTRATION

10.1 Council Information Distribution List

KORBETT:

That Council for the Town of Pincher Creek accept the September 27, 2021 Council Information Distribution List as information.

CARRIED 21-375

11. CLOSED MEETING DISCUSSION

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, September 27, 2021 at 7:00 pm in accordance with section 17, 18 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, and Administrative Manager in attendance.

CARRIED 21-376

Councillor Korbett declared a conflict of interest with item 11.1 as he is personal friends with the property owner and left the meeting at 7:02 pm.

Councillor Korbett returned to the meeting at 7:04 pm.

KORBETT:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, September 27, 2021 at 7:42 pm.

CARRIED 21-377

11.1 Request to Waive Tax Penalties – Roll #0502600 – FOIP s. 17 & 18

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to waive the penalty applied to tax roll account number 00502600.0000 as per section 347(1) of the MGA given the particular circumstances.

CARRIED 21-378

Councillor Korbett declared a conflict of interest with item 11.1 as he is personal friends with the property owner and left the meeting at 7:43 pm.

Councillor Korbett returned to the meeting at 7:44 pm.

11.2 Vaccination Protocol Policy – FOIP s. 17, 18 & 24

McGILLIVRAY:

That Council for the Town of Pincher Creek direct Administration to develop a policy regarding Vaccination/Testing Protocol for Town Employees and schedule a meeting of the policy committee to discuss and a meeting with staff to garner feedback.


CARRIED 21-379

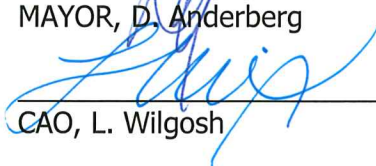
12. NOTICE OF MOTION

13. ADJOURNMENT
KORBETT:

That this meeting of Council on September 27, 2021 be hereby adjourned at 7:53 pm.

CARRIED 21-380



MAYOR, D. Anderberg


CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 12th DAY OF OCTOBER 2021 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON TUESDAY OCTOBER 12, 2021
AT 6:00 P.M.**



Bylaw No. 1570-21

**BYLAW NO. 1570-21
MUNICIPAL BORROWING BYLAW
OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA**

This bylaw authorizes the Council for the Town of Pincher Creek to borrow for the purpose of financing operating expenditures as specified in Section 256 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.

WHEREAS the Council for the Town of Pincher Creek (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

Revolving line of credit for short-term financial purposes (under 1 year) and:

Mastercard for short-term financial purposes (under 1 year)

NOW THEREFORE pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from ATB Financial up to the principal sum of **\$1,000,000.00 (ONE MILLION DOLLARS AND 00/100 CENTS)** repayable upon demand at a rate of interest per annum not to exceed the Prime Lending Rate from time to time established by ATB Financial plus 1.00%, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
 - (a) Pursuant to Section 251 (2) (b) of the Municipal Government Act, the interest rate in respect of such direct revolving advances shall not in any event exceed a maximum rate of 5% per annum.
2. The Corporation borrow from ATB Financial (Mastercard) sums of money from time to time to complete operating expenditures for convenience purposes and where required by suppliers. Provided that the principal sum owed to ATB Financial at one time not exceed the sum of **\$50,000 (FIFTY THOUSAND DOLLARS AND 00/100 CENTS)**.
3. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
 - (a) to apply to ATB Financial for the aforesaid loans to the Corporation and to arrange with ATB Financial the amount, terms and



Bylaw No. 1570-21

conditions of the loan and security or securities to be given to ATB Financial;

- (b) as security for any money borrowed from ATB Financial
 - (i) to execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
 - (ii) to give or furnish to ATB Financial all such securities and promises as ATB Financial may require to secure repayment of such loans and interest thereon; and
 - (iii) to execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB Financial of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB Financial the security or securities required by it.
- 4. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are: Property Taxation
- 5. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
- 5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB Financial is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 3 hereof and delivered to ATB Financial will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB Financial will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
- 6. That Bylaw #1570-20 be repealed.
- 7. This Bylaw comes into force on the final passing thereof.



Bylaw No. 1570-21

READ A FIRST TIME this 27 day of September, 2021



MAYOR, Don Anderberg



CAO, Laurie Wilgosh

READ A SECOND TIME this 27 day of September, 2021



MAYOR, Don Anderberg



CAO, Laurie Wilgosh

READ A THIRD TIME this 27 day of September, 2021



MAYOR, Don Anderberg



CAO, Laurie Wilgosh



Bylaw No. 1570-21

CERTIFICATE

WE HEREBY CERTIFY that the foregoing bylaw was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 27 day of September, 2021, at which a quorum was present, as entered in the minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 27 day of September, 2021

Chief Elected Official

Seal

[Signature]

Chief Administrative Officer



BYLAW 1596-21
of the
Town of Pincher Creek

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BYLAW 1596-20
Of the
TOWN OF PINCHER CREEK

A BYLAW OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF
ALBERTA, FOR THE PURPOSE OF REGULATING PROCEEDINGS OF COUNCIL MEETINGS

WHEREAS pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, the Municipality has the authority to pass bylaws for municipal purposes respecting citizens' safety, health and welfare, property, services and business activities;

AND WHEREAS Section 145 of the Municipal Government Act allows a Council to pass bylaws for the establishment, functions, procedures and conduct of Council committees and other bodies established by Council;

AND WHEREAS Section 146(b) of the Municipal Government Act allows a Council to pass bylaws where Council committees may consist of a combination of Councillors and other persons;

AND WHEREAS Section 153(e) of the Municipal Government Act states that a Councillors duty is to keep in confidence matters discussed in private at a Council or committee meeting until discussed at a meeting held in public.

AND WHEREAS Section 180(1) of the Municipal Government Act requires Council to act only by resolution or bylaw;

AND WHEREAS Section 197(1) of the Municipal Government Act states that a Council and Council Committees must conduct their meetings in public;

AND WHEREAS Section 197(2) of the Municipal Government Act allows a Council and its committees to close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act;

AND WHEREAS Section 198 of the Municipal Government Act states that everyone has a right to be present at Council and committee meetings conducted in public unless the person chairing the meeting expels a person for improper conduct;

NOW THEREFORE the Council of the Town of Pincher Creek, in the Province of Alberta, duly assembled in a regular meeting, hereby enacts the following rules for the order and conduct of all Council meetings.

TITLE

This bylaw shall be cited as the "Council Procedural Bylaw".

DEFINITIONS

All terms and phrases used in this bylaw shall be as defined in the Municipal Government Act, being Chapter M-26, of the Statutes of Alberta, 2000, and amendments thereto, unless otherwise noted.

"CAO" is the Town of Pincher Creeks Chief Administrative Officer in accordance with Section 205 of Alberta's Municipal Government Act;

"Committee" is a standing committee, special committee or ad hoc committee established in accordance with Section 145 of the Municipal Government Act;

"Committee of the Whole" is a committee consisting of all Councillors;

"Council" consists of a Chief Elected Official (Mayor) and six Councillors, all of which are elected by the citizens of the Town of Pincher Creek;

"Councillor" shall mean every Councillor including the Chief Elected Official;

"Closed Meeting" shall mean a Council or committee meeting or part of a meeting which is held in private and closed to the public may include any person or persons invited to attend by Council;

"Mayor" is the Town of Pincher Creek's Chief Elected Official;

"MGA" refers to the Municipal Government Act, being Chapter M-26, Statutes of Alberta, 2000 and amendments thereto;

"Notice of Motion" refers to the expression of a Councillors intention to place a motion before Council at a future Council Meeting;

"Presiding Officer" is the person who chairs a Council or committee and who shall be either the Mayor, the Deputy Mayor, a committee chairperson, or a Councillor appointed by council or that is selected by committee members as directed by the resolution establishing the committee;

"Special Meeting" is a public meeting of all Councillors scheduled outside of the regular Council meeting schedule;

"Special Resolution" is one that requires majority of Councillors to vote in support of a resolution;

"Town" is the Town of Pincher Creek in the Province of Alberta.

APPLICATION

1. This bylaw shall govern the proceedings of Council and committees established by Council.
2. If a matter relating to meeting procedure is not addressed in this bylaw, the law of the Parliament of Canada shall be followed. In such cases the decision of the Mayor or other presiding officer shall be final and accepted without debate.

ORGANIZATIONAL MEETING

3. Council shall hold an annual organizational meeting pursuant to the time frame specified in Section 192 of the MGA.
4. The first meeting following a general municipal election is an organizational meeting where;
 - a) the Mayor takes the Oath of Office of the Mayor,
 - b) every Councillor takes the Oath of Office of Councillor,
 - c) Councillors are assigned to Council's statutory, standing, and/or ad hoc committees and to other bodies on which Council wishes to be represented,
 - d) council may make a motion to appoint one or more Councillors as Deputy Mayor and if so, the Deputy Mayor(s) take the Oath of office of Deputy Mayor.

The election of Deputy Mayor is based on a rotational system whereby all Councillors are granted an opportunity so serve in that capacity over the term. Each of the six Councillors is to be designated for an eight-month term. The office of Deputy Mayor can be removed without reason or cause, by a majority vote.

5. At annual organizational meetings in years that do not have municipal elections, Council;
 - a) confirms membership on statutory, standing and ad hoc committees as well as other bodies on which Council wishes to be represented,
 - b) adopts Council's regular meeting schedule for the period until and including the next organizational meeting,
 - c) undertakes such organizational business as may be required.

COUNCIL AND COMMITTEE MEETINGS

6. All meetings of Council will be held in public except when;
 - a) a person is excluded for improper conduct,
 - b) when Council adopts a resolution to move to a closed session .

LOCATION, DATE AND TIME

7. All regular Council meetings shall be held in the Town's Council Chambers, located at 962 St. John Avenue, Pincher Creek, Alberta



8. Regular meetings shall be held on the second and fourth Mondays of each month, with the exception of July, August and December.
 - a) meetings shall be held on the fourth Monday of July and of August,
 - b) meetings shall be held on the second Monday of December,
 - c) when a statutory holiday falls on a Monday, the Council meeting will be moved to the following Tuesday.
9. Council may change the time, date or location of their respective meetings by special resolution provided that in both cases at least twenty-four (24) hours' notice of the change is given;
 - a) in writing to all Councillors,
 - b) by posting a notice of the change at the entrance of the Town Office for members of the public;
 - c) by posting a notice of the change on the home page of the Town's website, and in any other manner as directed by resolution of Council.

QUARUM

10. A quorum refers to a simple majority of Councillors or committee members present at a meeting.
11. Councillors may participate in Council meetings via electronic audio or visual communications under the following conditions;
 - a) the facilities' technology must allow all Councillors to hear the discussion involving all other participants at the meeting,
 - b) the remote Councillor shall be considered present and part of the quorum,
 - c) the recording secretary shall record the names and the electronic communications format by which the Councillor(s) participated.
12. If the Mayor or Deputy Mayor is not in attendance within twenty (20) minutes after the hour appointed for a meeting and a quorum is present, the CAO or designate shall call the meeting to order. A Presiding Officer shall be chosen by the Councillors present, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
13. Unless a quorum is present within twenty (20) minutes after the time appointed for the meeting, the meeting will stand adjourned until,
 - a) the next regular meeting date, or
 - b) until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting.

The recording secretary shall record the names of the Councillors present at the expiration of the 20 minute time limit.
14. If a quorum is lost after the meeting is called to order, the meeting shall be suspended until quorum can be re-obtained.

15. If quorum is not obtained within 30 minutes, the meeting shall stand adjourned.

SPECIAL MEETINGS

16. Pursuant to Section 194 of the MGA,

- a) the Mayor may call a special Council meeting by giving at least 24 hours written notice to all Councillors and the public, advising them of the meeting's purpose, location, date and time.
- b) the Mayor must call a special Council meeting upon receipt of a written request for the meeting, stating its purpose, from a majority of the Councillors.
- c) the Mayor may call a special Council meeting on shorter notice to all Councillors without providing notice to the public, if two-thirds of Councillors agree to this in writing before the beginning of the meeting.
- d) no business other than that stated in the notice calling the special meeting shall be considered at the meeting unless all Councillors are present and council agrees to deal with the matter in question.

COMMITTEE MEETINGS

17. Unless otherwise established, the time and place for Council committee meeting shall be set at the call of the committee Chair or as set out in bylaw or policy.

18. All Council committees shall adhere to the rules of procedure established in this bylaw unless otherwise modified by Council.

COUNCIL MEETING AGENDAS

STANDARD ORDER OF BUSINESS

19. The business of regular Council meetings follows a standard format set out in Schedule A.

20. Notwithstanding the standard Order of Business, the Mayor and pertinent committee chair may arrange for items dealing with a particular subject to be grouped together on the agenda of any individual meeting.

21. The standard agenda may be amended from time to time by Council resolution.

22. The Mayor shall review the agenda with the CAO prior to distribution to Councillors.

SUPPORTING DOCUMENTS

23. All documents and notices of delegations intended to be addressed by Council shall be submitted to the CAO not later than 4:00 pm one week prior to the Thursday agenda posting.

24. If past the deadline, Council items may be brought forth for placement on a following meeting agenda.

DISTRIBUTION

25. By 1:00 pm on the Thursday before the regularly scheduled Council meeting, the CAO shall distribute to each Councillor;

- a) the agenda,

Bylaw 1596-21

- b) the minutes of the last regular meeting and any subsequent special meetings,
 - c) a statement of quarterly accounts (if applicable),
 - d) any material pertinent to the forthcoming regular meeting including documents that support requests for decision.
26. By 1:00 pm on the Thursday before the regular Council meeting;
- a) agendas for Council meetings and statutory, standing and ad hoc committee meetings shall be posted in the Council's area on the Town's web site,
 - b) a news release announcing the posting of the agenda for the upcoming Council meeting shall be posted on the home page of the Town's web site,
 - c) a calendar shall be placed in the public area of the Town of Pincher Creek's Administration Building, located at 962 St. John Avenue.
27. Any written communication intended for Council or a committee which reaches the CAO must;
- a) be legible and coherent,
 - b) be signed by at least one person who provides a printed name and address,
 - c) be on paper or in an electronic format,
 - d) not be libelous, impertinent or improper.
28. When the CAO receives written communication meeting the requirements specified in Article 29, he/she must;
- a) refer the communication to the administration for a report or a direct response, and inform Councillors through the agenda, of the referral,
 - b) if it relates to an item already on an agenda, provide a copy of the communication to Councillors with the agenda.
29. If the requirements of Article 29 are not met, the communication may be filed unless the CAO determines it to be libelous, impertinent or improper, in which case the CAO summarizes the communication and informs Council that it is being withheld.
30. Council may direct the communication being withheld to be forwarded to Council.
31. The CAO must make reasonable efforts to respond to the person sending the communication and to advise that person of any action taken on the subject of the communication.

GENERAL PROCEEDINGS AT MEETINGS

AGENDA

- 32. Council must vote to adopt the agenda.
- 33. Council may only make changes to the agenda by special resolution and these changes may only consist of adding new items or deleting items.

Bylaw 1596-21

34. In no motion is made about a specific item on the agenda, Council need not deal with that item during the meeting.

MINUTES

35. The minutes of each meeting must be circulated to each Councillor prior to the meeting at which they are to be adopted.
36. Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate.
37. If the minutes;
 - a) contain errors or omissions, Council must pass a resolution to amend the minutes and adopt the minutes as amended,
 - b) do not contain errors or omissions, Council must adopt the minutes as circulated.

DESIRE TO SPEAK

38. Any Councillor desiring to speak shall address all remarks to the Presiding Officer and shall confine communication to the question or motion on the table.
39. Councillors wishing to speak on an agenda item during a meeting must indicate their intention by raising their hand. Any Councillor present via electronic communications, shall address the Presiding Officer by stating "I wish to speak on the matter at hand".
40. Each Councillor should not speak more than once until every Councillor has had the opportunity to speak except;
 - a) in the explanation of a material part of the speech which may have been misunderstood,
 - b) in reply,
 - c) to close debate,
 - d) after everyone else wishing to speak has spoken.

MOTIONS AND RESOLUTIONS

41. Every motion or resolution shall be stated clearly by the mover and when duly moved, shall be open for consideration.
42. After a resolution has been stated or read, it shall be deemed to be in possession of Council, but may be withdrawn by unanimous consent of the Councillors present.
43. Each Councillor should limit discussion on any motion to ten (10) minutes.

ORDER AND DECORUM

44. The Presiding Officer shall maintain order and decorum and decide questions of order, subject to an appeal to the Council.
45. The decision of the Presiding Officer shall be final unless reversed or altered by a majority vote of the members present without debate.

Bylaw 1596-21

46. When the Presiding Officer is called upon to decide a point of order or practice, he or she shall cite the rule of authority applicable, as set out in this bylaw or otherwise referred to in Roberts Rules of Order.
47. A member called to order by the Presiding Officer shall immediately discontinue speaking and the debate shall be suspended until the point of order is decided.

REPORTS

48. An information report from a committee, agency or administrative staff that does not request Council action other than receipt as information may only be;
 - a) received as information without debate,
 - b) referred to a committee or the CAO by majority vote without debate, or
 - c) debated, if a special resolution as passed to allow a motion to be made without notice.
49. Reports from the CAO or other management personnel which request a decision by Council may be debated and Council may;
 - a) vote on the request, or
 - b) refer the request to a committee or the CAO for investigation and report.

COUNCILLOR REQUEST FOR INFORMATION

50. Councillors may request information from the CAO on any matter within the municipality's jurisdiction.
51. When a Councillor requests information, the CAO or designate, will provide a response to each Councillor at the next Council meeting. If that is not possible, the CAO will provide a progress report indicating when the answer to the inquiry may be expected.

IN CAMERA SESSIONS

52. Council and committees may conduct all or a part of a meeting closed to the public;
 - a) only if a matter to be discussed is within one of the categories of private information referred to in Section 197 of the MGA, and, a majority of the Councillors present are of the opinion that it is in the public interest to close the meeting to the public;
 - b) shall state the purpose, time and those in attendance in the resolution to close the meeting to the public;
 - c) the rules of Council shall be observed in the closed meeting;
 - d) the only resolution Council have the power to make in the closed meeting is to revert back to an open meeting.

DISCIPLINARY PROCEDURES

53. Councillors shall not;
 - a) use offensive or unparliamentary language in the meeting or directed to Council, any Councillor or any other person;

- b) disobey the rules of the meeting or decision of the Presiding Officer or of Councillors on questions of order or practice; or upon the interpretation of the rules of the meeting;
- c) speak disrespectfully of the Sovereign, the Governor General, the Lieutenant Governor, of Council or of any other governing body in Canada;
- d) leave their seat or make any noise or disturbance while a vote is being taken and the result is declared;
- e) interrupt a Councillor while speaking, except to raise a point of order;
- f) discuss a vote of Council after the vote has been taken, unless to rescind;
- g) influence or direct any municipal employees;
- h) direct inquiries to municipal employees other than the CAO who will be responsible for ensuring that the inquiry is responded to.

COUNCILLOR BREACHES OF ORDER

- 54. When a Councillor has been warned about breaches of order but continues to engage in them, the Presiding Officer may name the Councillor by stating their name and declaring the offence. The Recording Secretary must note the offence in the minutes.
- 55. If a Councillor who has been named apologizes and withdraws any objectionable statement, then the Councillor may remain and continue participating in the meeting and the Presiding Officer may direct that the notation of the offence be removed from the minutes.

PUBLIC BREACHES OF ORDER

- 56. Any members of the public are not allowed to approach or to speak to any Councillor during a Council meeting without the Presiding Officer's permission.
- 57. The Presiding Officer may order any member of the public who disturbs Council or committee proceedings by words or actions, to be expelled.
- 58. If the person refuses to leave voluntarily, the Presiding Officer may request that the Royal Canadian Mounted Police to remove the person.

MOTIONS AND RESOLUTIONS

MOTION BEFORE COUNCIL

- 59. After a motion is read or stated by the Presiding Officer, it shall be deemed to be in the possession of the Council, but may be withdrawn by the mover at any time before debate or decision.
- 60. A motion does not require a seconder.
- 61. The Mayor shall be permitted to put forward motions.
- 62. Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 63. The mover of a motion must be present when the vote on the motion is taken. Councillors participating via electronic audio or visual communications are deemed to be present.

64. When a motion is before the meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no one objects, the Presiding Officer shall grant permission. If any objection is made however, it is necessary to obtain leave by motion to withdraw and this motion cannot be debated or amended.
65. Once a motion is withdrawn, the effect is the same as if it had never been made.
66. When a motion is under debate, no new motion shall be received other than a motion to;
 - a) adjourn (non-debatable);
 - b) withdraw (non-debatable);
 - c) table (non-debatable);
 - d) call the question (non-debatable);
 - e) postpone to a certain time or date (debatable);
 - f) refer (debatable);
 - g) amend (debatable);
 - h) postpone indefinitely (debatable).

SPECIAL RESOLUTIONS

67. When Council deems that it is necessary to take an expedient action for the benefit of the municipality and that it should happen before the next regularly scheduled Council meeting, it may pass a special resolution.
68. A Councillor addresses the Presiding Officer to request that Council consider a special resolution and states what the resolution is about.
69. If a majority of Councillors in attendance vote in favor of allowing the resolution, then it can be presented to Council.
70. If Council defeats the request, then the Councillor can present the resolution under the Council agenda item that addresses notices of motion and it will be dealt with at the next regular Council meeting.

NOTICES OF MOTION

71. A notice of motion must be used to introduce a new matter for Council's consideration which does not appear on the agenda, and should be used to give notice when an extended period of time is advisable prior to considering a subject.
 - a) the Councillor shall read the notice of motion which must be recorded in the minutes and shall form part of the agenda for the subsequent meeting.
 - b) a Councillor who hands the written notice of motion to the CAO to be read at any regular meeting, need not necessarily be present during the reading of the motion.
72. A Councillor may make a motion introducing a new matter only if:
 - a) notice is given at the previous regular Council meeting,



- b) a legible copy of the content of the notice is made available to the CAO no later than 12:00 pm on the Monday before the regular meeting, or
 - c) Council passes a special resolution dispensing with notice.
73. A notice of motion must give sufficient detail about the subject of the motion and any proposed action and must state the date of the meeting at which the motion will be made.
74. A notice of motion must be given without discussion of the matter but any written copies distributed may include explanatory paragraphs.
75. When notice has been given, the CAO will include the proposed motion in the agenda of the meeting for the date indicated in the notice. If a motion is not made at the meeting indicated in the notice, it will be removed from the agenda and may only be made by a new notice of motion.

SIMILARITY OF MOTIONS

76. No motion shall be made that is the same as, or similar to the previous motion made during the same meeting.
77. Any issue addressed by Council at any regular Council meeting where a resolution has been voted upon (either carried or defeated), other than a motion to postpone, shall not be allowed to be brought back to any regular meeting for further consideration until at least three (3) months following the date of the Council meeting where it was originally addressed except by means of majority vote of Council in attendance.

LACK OF QUORUM FOR A MOTION

78. If a motion cannot be voted on because there would be no quorum due to an abstention allowed or required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular Council meeting.
79. If Council is unable to achieve a quorum due to allowable abstentions, then Council must ask the Minister of Municipal Affairs for an order under the MGA.

VOTING ON A MOTION

80. A motion, excepting a special resolution, shall be carried when a majority of Councillors at a meeting vote in favor of the motion.
81. A motion is lost when the vote is defeated or tied.
82. Where a question under consideration contains distinct propositions, the vote upon each proposition may be taken separately, at the request of any Councillor.

ABSTENTIONS FROM VOTING

83. Pursuant to Section 183 of the MGA, a Councillor must vote on a matter put to a vote at the meeting unless he or she is required or permitted to abstain from voting under this or any other enactment.
84. Councillors who have a pecuniary interest, as defined in Section 170 of the MGA where, in any matter related to a question put to a vote, shall, if present;

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- a) declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter,
- b) abstain from discussions or voting on any question relating to the matter, and
- c) remove themselves from the room until the matter is concluded.

85. The minutes shall indicate each abstention and its reasons including the declaration of disclosure of a pecuniary interest, and shall also indicate the times at which the Councillor left and returned to the room.

86. Notwithstanding Article 88, if a matter related to a Councillor's pecuniary interest is a question upon which the Councillor as a taxpayer, an elector or an owner, has a right to be heard by Council, it is not necessary for the Councillor to leave the room.

PUTTING A MOTION TO A VOTE

87. Once the Presiding Officer puts a question to a vote;

- a) no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared,
- b) every member present including the Presiding Officer, shall vote unless they are required to abstain.

VOTE VALIDITY

88. Votes on all motions must be taken according to the following procedure;

- a) the Presiding Officer must put forth the motion,
- b) all Councillors, including the Mayor, must vote by a show of hands,
- c) the Presiding Officer must declare the result of the vote.

89. Notwithstanding Article 92, a Councillor who is present via electronic audio or visual communications when the motion is put forth, shall be counted as for the motion by stating clearly "in favor" or against the motion by stating clearly "against".

RECORDING A VOTE

90. Before Council takes a vote, a Councillor may request that the vote be recorded.

91. The recording secretary shall record the names of each Councillor present, whether they voted for or against the question, and the Presiding Officer shall announce the results of the vote.

VOTING RESULTS

92. After the Presiding Officer declares the result of a vote, the Councillors may not change their vote for any reason.

BYLAWS

PROCEDURE

93. Where a bylaw is presented to a Council meeting for enactment, the CAO shall cause the number, short title and brief description of the bylaw to appear on the meeting agenda.

94. The following shall apply to the passage of all bylaws:

- a) A bylaw shall be introduced for first reading by a motion that it be read a first time specifying the number of the bylaw.
- b) Councillors may then debate the substance of the bylaw, or consider amendments to it.
- c) Any proposed amendments shall be put to a vote if required. If carried, they shall be considered as having been incorporated in the bylaw at first reading.
- d) When all amendments have been accepted or rejected, the Mayor shall call for a vote on the motion for first reading of the bylaw.
- e) When a bylaw is subject to a statutory public hearing, a date and time shall be established for the hearing following first reading.
- f) All aspects of the passage of a bylaw at first reading shall apply to second and third readings of any bylaw.

THREE READINGS

- 95. A bylaw shall not be given more than two readings at one meeting unless Councillors present at the meeting unanimously agree that the bylaw may be presented for third reading at the same meeting at which it received two readings.
- 96. A bylaw shall be passed when a majority of Councillors present vote in favor of third reading, provided that any applicable provincial statute does not require a greater majority.

ENACTMENT OF A BYLAW

- 97. When a bylaw has been given three readings and is signed in accordance with Section 213 of the MGA, it is considered an enactment of the Town and is effective immediately, unless the bylaw or an applicable provincial statute provides otherwise.
- 98. The previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive third reading within two years of first reading or is defeated on second or third reading.
- 99. After passage, a bylaw shall be dated, signed by the Mayor or designate, and by the CAO.

DELEGATIONS, PUBLIC HEARINGS AND PETITIONS

DELEGATIONS

- 100. A person or representative of any group of persons who wish to have any matter considered by Council shall address a written communication to the Town outlining the points they wish to bring to Council's attention.
 - a) Such communication shall be in the hands of the CAO not later than 4:00 pm one week prior to the Thursday agenda posting.

- b) When a communication contains a request for an appearance to address Council, Councillors may either hear the representative by resolution or refer it to a Committee.
 - c) No person or group shall appear as a delegation to Council on the same or on a related subject until three months has passed since the date of the first presentation, unless specifically requested by a majority vote of Council in attendance.
 - d) When a person or representative of a group wishes to address Council on a matter which is not on the agenda, the Council may refer the matter to any appropriate committee, may defer the matter to another meeting of Council, may appoint a special committee to deal with the matter, or deal with the matter itself at the meeting, if so agreed upon by a special resolution of Council.
 - e) Matters presented by delegation shall be brought back to Council for disposition within 30 days.
101. Delegations appearing before Council may be addressed by any Councillor through the Presiding Officer, by asking the delegation or the CAO relevant questions but may not debate the matter or the answers.
102. The presentations by a person or a delegation must be;
- a) limited to 15 minutes unless a special resolution extends allotted time,
 - b) received as information without debate,
 - c) referred without debate to a Committee or the CAO for a report, or debated, if a special resolution is passed to allow a motion to be made without notice.

PUBLIC HEARINGS

103. The conduct of any statutory public hearing to address a proposed bylaw or Council resolution shall be governed by this bylaw.
104. Public hearings shall be held on the same day as a regular Council meeting and will begin immediately following the meeting's Call to Order, unless otherwise set by Council resolution. Council's regular meeting will follow immediately after the public hearing.
105. Wherever possible, persons interested in speaking at a public hearing should register with the CAO prior to the public hearing.
106. The Presiding Officer shall declare the public hearing in session and shall outline public hearing procedures.
107. The CAO or their designate shall introduce the resolution or bylaw and shall briefly state the intended purpose. Department presentations shall follow the introduction of the bylaw or resolution.
108. The Presiding Officer shall request that those who wish to make presentations identify themselves. The Presiding Officer shall then open the floor to public presentations.
109. The Presiding Officer shall call upon those persons who have registered with the CAO to speak first, followed by other persons at the meeting who have not registered to speak but who wish

to address Council. Persons who do not identify themselves will not be given the opportunity to speak.

110. Presentations by the public may be made verbally and/or in written format. Written submissions shall be collected by the CAO and retained for information purposes.
111. Each verbal presentation shall be limited to ten (10) minutes unless there is a majority vote of Council to extend the allotted time.
112. Following public presentations, the Presiding Officer shall close the public hearing.
113. If no one is present to speak to a proposed bylaw or resolution which requires a public hearing, Council may hear an introduction of the matter from the CAO or their designate, ask relevant questions, and then must close the public hearing.
114. After the close of the public hearing, Council may debate matters raised at the public hearing during the regular Council meeting following the public hearing, and may;
 - a) pass the bylaw or resolution, or
 - b) make any necessary amendments to the bylaw or resolution and pass it without further advertisement or hearing.
115. When a public hearing on a proposed bylaw or resolution is held, a Councillor must abstain from voting on the bylaw or resolution if the Councillor is absent from a part or all of the public hearing.

PETITIONS

116. When a group or a person wishes to present a petition to Council on any matter within its jurisdiction, the petition must;
 - a) be typewritten or legibly written,
 - b) clearly articulate the issue,
 - c) be signed,
 - d) indicate if a representative wishes to address the Council on the subject matter of the petition.
117. Before considering a petition, the Council may refer it to the appropriate committee for a report.
118. If the petition concerns a matter which the Council deems urgent, Council may consider it at the next regular Council meeting and may take immediate action thereon.

APPEAL OF PRESIDING OFFICER'S RULING

119. The decision of the Presiding Officer shall be final, subject to an immediate appeal by a Councillor present at the meeting.
120. If a decision is appealed, the Presiding Officer shall give concise reasons for the ruling and the Councillors, without debate, shall decide the question.
121. The ruling of the Councillors shall be final.

RECORD OF PROCEEDINGS

122. The CAO is responsible for the record of Council and committee proceedings but may delegate any duties to a recording secretary.

123. The record of proceedings shall include;


- a) all decisions and other proceedings without note or comment,
- b) the names of Councillors present at and absent from each meeting,
- c) any abstention pursuant to a declaration of pecuniary interest made by any Councillor in accordance with section 170 of the MGA and/or any other abstention permitted by statute,
- d) the signatures of the Presiding Officer and the Chief Administrative Officer.

ENACTMENT


124. Bylaw No. 1596-18B and amendments thereto is hereby repealed in its entirety.

125. Bylaw No. 1596-20 shall take force and effect on the day of its final reading and upon being signed.

READ a first time this 27th, day of September 2021 A.D.

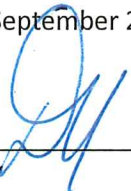


Mayor Don Anderberg




CAO, Laurie Wilgosh

READ a second time this 27th day of September 2021 A.D.



Mayor Don Anderberg



CAO, Laurie Wilgosh

Bylaw 1596-21

READ a third time this this 27th day of September 2021 A.D.



Mayor Don Anderberg



CAO, Laurie Wilgosh

APPENDIX A

STANDARD COUNCIL MEETING AGENDA

1. Call to Order
2. Public Hearings
3. Agenda Approval
4. Delegations
5. Adoption of Minutes
6. Business Arising from the Minutes
7. Bylaws
8. New Business
9. Reports
 - Council
 - Chief Administrative Officer
 - Others
10. Administration (Correspondence, Information)
11. Closed Meeting Discussion
12. Notice of Motion
13. Adjournment