

VILLAGE OF HUSSAR  
ORGANIZATIONAL MEETING AGENDA  
Thursday, October 20, 2022



1. Call to Order 7:00 p.m.
2. Election of Mayor and Deputy Mayor
3. Board and Committee Appointments
  - a. Cemetery Committee
  - b. Drumheller and District Solid Waste Management Association
  - c. Hussar Municipal Library Board
  - d. Hussar Rural Fire Association
  - e. Intermunicipal Development Plan Committee
  - f. Palliser Regional Municipal Services
  - g. Wheatland County Joint Assessment Review Board
  - h. Wheatland Family & Community Support Services
  - i. Wheatland Regional Corporation
  - j. Wheatland Regional Emergency Advisory Committee
  - k. Wheatland Regional Partnership
  - l. Wheatland & District Emergency Medical Services Association
  - m. Wildrose Community Futures
  - n. Wheatland Housing and Management Body
  - o. Southern Alberta Energy from Waste Association
  - p. Any additional boards and committees
  
  - q. Ratify Hussar Municipal Library Board
  - r. Ratify Hussar Rural Fire Department Chief
  - s. Ratify Wheatland Housing Management Body Representative
  - t. Appoint Director of Emergency Management
  - u. Assessment Review Board Clerk
  - v. Assessor
  - w. Subdivision and Development Appeal Board
  - x. Auditor
4. Review of Legislative Policies, Procedural Bylaw and Code of Conduct Bylaw
5. 2022-2023 Regular Meeting Dates and Location
6. Adjournment

**BYLAW #538-21  
VILLAGE OF HUSSAR**

**A BYLAW OF THE VILLAGE OF HUSSAR IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF MEETINGS OF COUNCIL AND COUNCIL COMMITTEES AND DEFINE CERTAIN DUTIES OF THE COUNCIL AND OFFICERS OF THE VILLAGE OF HUSSAR.**

**WHEREAS**, Section 145 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, authorizes Council to pass bylaws in relation to the procedures of Council and Council Committees and the conduct of elected officials and members of Council Committees,

**AND WHEREAS**, it is Council's desire to establish and follow a process and procedure of municipal government that reflects an open, transparent government where decisions are made after all information has been provided,

**AND WHEREAS**, it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings, to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, delegations and submissions to Council,

**NOW THEREFORE**, the Council of the Village of Hussar duly assembled establishing the following rules and regulations for the order and conduct in which the business of all Council meetings shall be transacted.

**PART I: BYLAW TITLE**

- 1.1 This bylaw may be cited as the "Procedural Bylaw."

**PART II: DEFINITIONS**

- 2.1 *Act* means the *Municipal Government Act*, RSA 2000 M-26 and all amendments thereto.
- 2.2 *Agenda* means the list of items and order of business of any meeting of Council as prepared by the Chief Administrative Officer.
- 2.3 *Appellant* means the person who is appealing to Council.
- 2.4 *Bylaw* means a Bylaw of the Village of Hussar.
- 2.5 *CAO* means the Chief Administrative Officer of the Village of Hussar.
- 2.6 *Council* means the duly elected Municipal Council of the Village of Hussar.

- 2.7 *Councillor* means a duly elected member of Council.
- 2.8 *Deputy Mayor* means the member of Council duly appointed to the office of Deputy Chief Elected Official, pursuant to the Act.
- 2.9 *Mayor* means the member of Council duly appointed to the office of Chief Elected Official, pursuant to the Act.
- 2.10 *Point of Information* means a request to the Mayor or presiding member, or through the Chair, to another member or to the staff for information relevant to the business or item being discussed.
- 2.11 *Public Hearing* means a meeting of Council held in accordance with the Act.
- 2.12 *Quorum* means a majority of Council members required to hold a meeting and to vote.
- 2.13 *Resolution* means a motion in Council.
- 2.14 *Special Meeting* means a meeting called pursuant to the Act.

### PART III: APPLICATION

- 3.1 This Bylaw applies to:
- a. all meetings of Council, and
  - b. subject to the Act, boards and authorities established by Council unless permission has been granted to them to establish their own procedures by a simple majority decision of Council.

### PART IV: ORGANIZATIONAL MEETING

- 4.1 The annual Organizational Meeting of Council shall be held in accordance with the Act and the date shall be called by Council at the September regular Council meeting and shall be entered into the minutes of that meeting.
- 4.2 At the Organizational Meeting the CAO shall initially take the chair and:
- a. call the meeting to order,
  - b. administer the Oath of Office to any new elected officials, and
  - c. record the election for Mayor and Deputy Mayor.

4.3 Upon the election of Mayor and Deputy Mayor the Mayor shall take the chair for the remainder of the meeting.

4.4 The Agenda for the Organizational Meeting shall be as follows:

- a. Call to Order
- b. Oaths of Office (if necessary)
- c. Election of Mayor and Deputy Mayor
- d. Board and Committee Appointments
- e. Review of Legislative Policies
- f. Set the Date for Regular Council Meetings
- g. Any other Business as Required by the Act (if necessary)

4.5 The following board and committee appointments shall be made:

- a. Cemetery Board (1 member)
- b. Drumheller and District Solid Waste Management (1 member, 1 alternate)
- c. Hussar Municipal Library Board (1 member)
- d. Hussar Rural Fire Association (1 member, 1 alternate)
- e. Intermunicipal Development Plan Committee {IDP} (2 members, 1 alternate)
- f. Palliser Regional Municipal Services (1 member, 1 alternate)
- g. Southern Alberta Energy from Waste Association (1 member, 1 alternate)
- g. Wheatland County Assessment Review Board (1 public member)
- h. Wheatland Family & Community Support Services (1 member, 1 alternate)
- i. Wheatland Regional Emergency Advisory Committee (1 member, 1 alternate)
- j. Wheatland Regional Partnership (3 members)
- i. Wheatland & District Emergency Medical Services Association (1 member, 1 alternate)
- j. Wildrose Community Futures (1 member, 1 alternate)
- k. any additional boards and committees.

4.6 The following boards or positions shall be ratified:

- a. Hussar Municipal Library Board
- b. Hussar Rural Fire Department Chief
- c. Wheatland Housing Management Representative (Village of Standard)

4.7 The following position appointments shall be made:

- a. Director of Emergency Management
- b. Deputy Director of Emergency Management

## PART V: REGULAR AND SPECIAL MEETINGS

- 5.1 The date and time of regular meetings shall be set at the annual organizational meeting.
- 5.2 Special meetings shall be called and held in accordance with the Act.
- 5.3 In accordance with the Act, all Council meetings shall be open to the public and twenty-four (24) hours written notice shall be given to the public as stated in Section 5.8 and Section 5.9.
- 5.4 The Mayor, subject to being overruled by a majority vote of Council:
  - a. may call Council to order,
  - b. shall maintain order and preserve decorum of the meeting,
  - c. shall decide points of order without debate or comment other than to state the rule governing,
  - d. shall determine which Councillor has the right to speak,
  - e. shall ascertain whether all Council members who wish to speak on a motion have spoken thereon and all Council members are ready to vote by asking "Are you ready for the question?" and shall thereafter call for the vote, and
  - f. shall rule when a motion is out of order.
- 5.5 Members of the public who attend a Council meeting shall:
  - a. not address Council unless they are on the Agenda or if the Chair allows, may comment for a five (5) minute period following the close of Council business at a regular meeting, and
  - b. maintain order and quiet.
- 5.6 When a member of Council or the public is addressing the Chair, every other member attending the meeting shall:
  - a. remain quiet and seated,
  - b. not interrupt the speaker except on a point of order, and
  - c. not carry on a private conversation.
- 5.7 When a member of the public is addressing Council, the member shall:
  - a. not reflect on any vote of Council except when asking to rescind the vote and when doing so shall not reflect on the motives of the Councillors who voted for the motion or the mover of the motion,
  - b. not shout or raise their voice or use profane, vulgar or offensive language, and
  - c. assume personal responsibility for any statement they quote to Council and shall give the source of the information. Unfounded information or hearsay may be disregarded by Council.

- 5.8 Notice of regular Council meetings shall be given by publishing them on Village of Hussar website and posting notices at the Village Office and Canada Post Office.
- 5.9 Notice of a change to a regular Council meeting or of a special meeting shall be given by publishing them on the Village of Hussar website and posting notices at the Village Office and Canada Post Office.

#### PART VI: PUBLIC MEETINGS

- 6.1 Public meetings may be held at the pleasure of Council and as required as per the Act.

#### PART VII: VOTING

- 7.1 Voting shall be governed by the Act.
- 7.2 The names of those who vote for and those who vote against a motion shall be entered in the Minutes by the CAO only when a member of Council asks for a recorded vote before that vote is taken by the Chair.

#### PART VIII: GENERAL RULES OF COUNCIL

- 8.1 Regular Council meetings shall commence at 7:00 p.m. and adjourn not later than 11:00 p.m.
- a. Upon resolution of Council the meeting may be extended to a time determined in the resolution.
- 8.2 Special Council meetings shall commence at the time stated in the notice to the public and shall not last longer than three (3) hours unless agreed upon by a majority vote in Council.
- 8.3 If there is no quorum by 7:30 p.m., the CAO shall record the names of the Council members present and Council shall stand adjourned.
- 8.4 As soon after 7:00 p.m. as there is a quorum present, the Mayor shall take the Chair and call the meeting to order.
- 8.5 In the event the Mayor is absent, the Deputy Mayor shall take the Chair.

## PART IX: PROCEEDINGS AT COUNCIL MEETINGS

- 9.1 Unless otherwise specified in this Bylaw, the order of business for a regular meeting of Council shall be contained in the Agenda for the meeting as prepared by the CAO. Copies of reports or business to be dealt with shall be available at the meeting.
- a. The Agenda shall be made available to Council at least one day prior to the regular meeting of Council.
- 9.2 The order of business on the Agenda is as follows:
- a. Call to Order  
b. Approval of Agenda  
c. Public Hearings  
d. Delegations  
e. Minutes of Previous Meeting  
f. Business  
g. Development  
h. Financial Reports  
i. Committee Reports  
j. CAO Report  
k. Correspondence  
l. In Camera  
m. Adjournment.
- 9.3 The cut off for items to be added to the Agenda is three (3) days before the set meeting date. Any item submitted for consideration by Council after the deadline will be added to the Agenda for the next regular Council meeting.

## PART X: PETITIONS AND LETTERS

- 10.1 Petitions shall be dealt with as per the Act.
- 10.2 Letters directing items of business or concerns to Council shall be clearly written or typewritten and addressed to the Council or CAO and shall be signed by the person bringing up the business or concern.
- 10.3 Anonymous letters will be disregarded. Verbal complaints and/or concerns may not be considered by Council until which time they are written and signed as indicated in Section 10.2.

## PART XI: DELEGATIONS

- 11.1 When a person or delegation wishes to address Council on a matter not on the Agenda, Council may add it to the proposed Agenda by resolution of Council.
- 11.2 Council shall hear all persons or delegations that so request and are placed on the Agenda. All rules of conduct in this Bylaw apply to each member of the delegation.
- 11.3 Delegations may be limited to fifteen (15) minutes presentation time to Council with additional time for Council to ask questions or for clarification.

## XII: RESOLUTIONS (MOTIONS) IN COUNCIL

- 12.1 Any motion before council does not need to be seconded.
- 12.2 Motions may be withdrawn prior to debate or decision with the approval of Council.
- 12.3 When a motion is made and is being considered, no other motion may be made and voted on except:
  - a. a motion to refer the main question to some other person or group for consideration,
  - b. a motion to amend the main question,
  - c. a motion to postpone or table the main question to another time.
- 12.4 After the question has been called, no member shall speak to the question nor shall any other motion be made until after the vote.
- 12.5 A motion to adjourn the meeting may be made at any time except when:
  - a. another Council member is in possession of the floor,
  - b. a call for a decision has been made, or
  - c. the members of the Council are voting.
- 12.6 A motion to rescind a motion of Council may be made at any time after the meeting at which the motion was passed, as follows:
  - a. any member of Council may make the motion to rescind,
  - b. notice of the rescinding motion shall be on the agenda, and
  - c. the rescinding motion must be passed by a simple majority.



### XIII: BYLAWS

- 13.1 Bylaws shall be presented and passed in accordance with the Act.

### XIV: SIGNING AUTHORITY

- 14.1 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall sign all cheques, Bylaws, applications, agreements, minutes and financial statements of the Village of Hussar so that all cheques and financial instruments are signed by the CAO and a member of Council a per the Act.
- 14.2 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall sign all cheques, Bylaws, applications, agreements, minutes or financial statements of the Village of Hussar Cemetery accounts so that all cheques and financial statements are signed by the CAO and a member of Council as per the Act.
- 14.3 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall have permission to access the safety deposit box in the name of the Village of Hussar so that two (2) persons access the safety deposit box.

### XV: PUBLIC HEARINGS

- 15.1 Public hearings shall be held in accordance with the Act.
- 15.2 The Mayor or Deputy Mayor shall act as Chair for public hearings.
- 15.3 The CAO shall act as Secretary for public hearings.
- 15.4 The order for the Agenda for a public hearing shall be as follows:
- a. Call to Order
  - b. Introduction of Public Hearing Item
  - c. Written or Oral Submissions in Favour of the Item
  - d. Written or Oral Submission Against the Item
  - e. Appellant Rebuttal
  - f. Adjournment
- 15.5 Council may ask for further information or clarification from the CAO, Appellant or any individual who provided a written or oral submission at any time during a public hearing.
- 15.6 Cross examination, debating or questions from the public is not allowed during a public hearing.

- 15.7 The public hearing may, by motion of Council, be held over to the next regular or special Council meeting if more information is required.
- 15.8 Decision on the item discussed at a public hearing will be included in the Minutes of the Council meeting at which it was held.
- 15.9 Decision must be made on the item discussed at a public hearing within fifteen (15) days of the public hearing and sent to the appellant in writing.

XVI: EXCEPTIONS AND AMENDMENTS

- 16.1 If a matter of procedure arises that is not specifically covered in this Bylaw, the matter will be decided by use of the Act, common sense and a simple majority vote of Council.

XVII: GENERAL

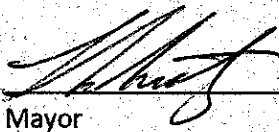
- 17.1 This Bylaw comes into force upon third and final reading.
- 17.2 This Bylaw repeals Bylaw #512-16 and 530-20.

READ a first time this 10 day of November, 2021.

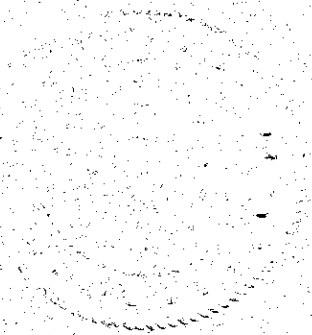
READ second time this 2 day of December, 2021.

READ a third time this 21 day of December, 2021.

Signed this 5 day of January, 2021.

  
\_\_\_\_\_  
Mayor

  
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Chief Administrative Officer



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## Council Code of Conduct Investigation and Sanction Policy

Date Approved by Council:

Resolution:

Review Date: Reviewed with Bylaw 518-18

Related Bylaw: 518-18 Council Code of  
Conduct

Amendments:

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### **Purpose**

The Council Code of Conduct Bylaw provides 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.

Due to the Village only having three elected councillors, there is the possibility of either real or perceived favouritism in any sanctions being imposed on councillors as a result of investigation by the CAO. There is also the possibility of either real or perceived favouritism in the investigative process performed by the CAO.

The purpose of this policy is to provide a standard guideline for the investigative procedure of the CAO, as well as to provide recommended sanctions to be imposed on councillors for breaches to the Bylaw. In addition, this policy will provide residents with information on next steps if they do not believe that the processes laid out in the Bylaw or this policy were conducted appropriately.

### **Investigation**

All formal complaints must meet all requirements of Part 18 of the Bylaw. If a complaint is received by the CAO that does not meet the requirements of Part 18, the CAO should make an attempt to help the complainant meet all the requirements.

As part of determining whether to conduct a full investigation the CAO may make an attempt to discuss the complaint with the complainant in person or by phone or order to better understand the situation surrounding the complaint.

As part of a formal investigation the CAO should attempt to interview the complainant. If the complainant had already been contacted when determining whether to conduct an investigation, this prior conversation will be considered to be an interview.

As part of a formal investigation the CAO should attempt to interview the councillor(s) against whom the complaint was made as per section 18.1(h) of the Bylaw. This interview should be scheduled so as not to provide an instance where the councillor(s) and complainant will be at the Village Office at the same time.

As part of a formal investigation the CAO should attempt to contact any other individuals or witnesses that may be brought forward by either the complainant or councillor(s).

## **Recommended Sanctions**

Upon completion of an investigation by the CAO, the CAO will include in the report to council whether or not the councillor(s) against whom the complaint was made appeared to be in breach of the Bylaw and include which specific section(s) of the Bylaw appeared to have been breached. The CAO will also include the recommended sanction for the breach as provided for in this policy.

Should the councillor(s) be found to be in breach of the Bylaw the recommended sanction for a first offense is at the minimum to issue a letter of reprimand addressed to the councillor(s) and to request that the councillor(s) issue a letter of apology to the complainant.

Should the councillor(s) be found to be in breach of the Bylaw for a second offense the recommended sanction, at the minimum, is to issue a letter of reprimand addressed to the councillor(s) and to request the councillor(s) issue a letter of apology, and to publish either the letter of reprimand, the letter of apology or both on the Village website as well any other location Council deems appropriate.

Should a single breach involve the Mayor or Deputy Mayor, and is considered by council to show a serious disregard for the Bylaw, the recommended sanction is the suspension or removal of the appointment as Mayor or Deputy Mayor.

Should the Mayor or Deputy Mayor be found to be in breach of the Bylaw in an ongoing manner (either a continuous breach or multiple separate breaches) the recommended sanction is the suspension or removal of the appointment as Mayor or Deputy Mayor.

Should the councillor(s) be found to be in breach of the Bylaw and the complaint is in relation to the conduct of the councillor(s) on committees and other bodies to which council has a right to appoint members the recommended sanction is the suspension or removal of the councillor from some or all of those committees or bodies. The councillor(s) will also receive a reduction in remuneration as a result of this suspension or removal; this is to mean that if the councillor continues to attend those meetings from which they have been suspended or removed they will not receive a per diem, mileage or other expenses related to those meetings.

## **Right of Appeal**

Neither the complainant nor councillor(s) who have been found to be in breach may appeal the decision to council; all council decisions are final.

Should either party believe that the Village did not follow due process in the investigation or decision, that party may file a complaint with the Alberta Ombudsman.

**BYLAW #518-18  
VILLAGE OF HUSSAR**

**A BYLAW OF THE VILLAGE OF HUSSAR 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 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 Village of Hussar;

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;

THEREFORE, the Council of the Village of Hussar, in the Province of Alberta, duly assembled, hereby enacts as follows:

**PART 1: BYLAW TITLE**

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

**PART 2: DEFINITIONS**

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

- (a) "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- (c) "CAO" means the Chief Administrative Officer of the Municipality, or their delegate;

- (d) "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;
- (e) "Investigator" means Council or the individual or body established by Council to investigate and report on complaints;
- (f) "Councillor" means a member of Council and includes the Mayor and Deputy Mayor;
- (g) "Municipality" means the municipal corporation of the Village of Hussar.

### PART 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.

### PART 4: REPRESENTING THE MUNICIPALITY

4.1 Councillors shall:

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

### PART 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 Councillors 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 No Councillor shall make a statement when they know that statement is false.
- 5.5 No Councillor shall make a statement with the intent to mislead Council or members of the public.

#### PART 6: RESPECTING THE DECISION-MAKING PROCESS

- 6.1 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.
- 6.2 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 an in-camera 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.
- 6.3 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.

#### PART 7: ADHERENCE TO POLICIES, PROCEDURES AND BYLAWS

- 7.1 Councillors shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 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 Councillors 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.

## PART 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 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 No Councillor shall use indecent, abusive, or insulting words or expressions toward another Councillor, any employee of the Municipality or any member of the public.
- 8.4 No Councillor shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
- 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 the undue influence from any Councillor or group of Councillors.
- 8.6 Councillors must not:
  - (a) involve themselves in matters of Administration, which fall within the jurisdiction of the CAO;
  - (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
  - (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality;

## PART 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 Councillors shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so.
- 9.3 No Councillor shall use confidential information for personal benefit or for the benefit of any other individual organization.



9.4 In the course of their duties, Councillors may also become privy to confidential information received outside of an “in-camera” meeting. Members must not:

- (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;
- (b) access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Member’s duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
- (c) use confidential information for personal benefit or for the benefit of any other individual or organization.

9.5 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 confidential nature, including but not limited to information concerning:

- (a) the security of the property of the Municipality;
- (b) a proposed or pending acquisition or disposition of land or other property;
- (c) a tender that has or will be issued but has not been awarded;
- (d) contract negotiations;
- (e) employment and labour relations;
- (f) draft documents and legal instruments, including reports, policies, bylaws and resolution, that have not been the subject matter of deliberation in a meeting open to the public;
- (g) law enforcement matters;
- (h) litigation or potential litigation, including matters before administrative tribunals; and
- (i) advice that is subject to solicitor-client privilege.

## PART 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 other 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, as the Councillor's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

## PART 11: IMPROPER USE OF INFLUENCE

- 11.1 No Councillor shall use the influence of the Councillor's office for any purpose other than for the exercise of the Councillor's official duties.
- 11.2 No Councillor shall 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.

## PART 12: USE OF MUNICIPAL ASSETS AND SERVICES

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

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

#### PART 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. Attendance at additional training sessions throughout the Council term is discretionary.

#### PART 14: REMUNERATION AND EXPENSES

- 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.

#### PART 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 benefit 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 \$200.00 and the receipt of the gift is disclosed at a meeting open to the public.
- 15.3 Gifts received by a Councillor on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the Councillor ceases to hold office.

#### PART 16: ELECTION CAMPAIGNS

- 16.1 No Councillor shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

## PART 17: INFORMAL COMPLAINT PROCESS

- 17.1 Any person or Councillor who has identified or witnessed conduct by a Councillor that the person or Councillor reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
- (a) advising the Councillor that the conduct violates this Bylaw and encouraging the Councillor to stop;
  - (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Councillor in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.
- 17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

## PART 18: FORMAL COMPLAINT PROCESS

- 18.1 Any person or Councillor who has identified or witnessed conduct by a Member that the person or Councillor reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
- (a) all complaints shall be made in writing and shall be dated and signed by an identifiable individual;
  - (b) all complaints shall be addressed to the CAO;
  - (c) 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;
  - (d) if the facts, as reported, include the name of one or more Councillors who are alleged to be responsible for the breach of this Bylaw, the Councillor or Councillors concerned shall receive a copy of the complaint submitted to the CAO;
  - (e) upon receipt of a complaint under this bylaw, the CAO shall review the complaint and decide whether to proceed to investigate the complaint or not. If the CAO is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the CAO may choose not to investigate, or if already commenced, may terminate any

investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, shall be notified of the CAO's decision;

- (f) if the CAO decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the CAO regarding the investigation shall be confidential;
- (g) the CAO shall, upon conclusion of the investigation, provide the Council and the Councillor who is the subject of the complaint, the results of the CAO's investigation;
- (h) 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;
- (i) a Councillor who is the subject of an investigation is entitled to be represented by legal counsel, at the Councillor's sole expense.

#### PART 19: COMPLIANCE AND ENFORCEMENT

19.1 Councillor shall uphold the letter and the spirit and intent of this Bylaw.

19.2 Councillors are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.

19.3 No Councillor shall:

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

19.4 Sanctions that may be imposed on a Councillor, by Council, upon a finding that the Councillor has breached this Bylaw may include:

- (a) a letter of reprimand addressed to the Councillor;
- (b) requesting the Councillor to issue a letter of apology;
- (c) publication of a letter of reprimand or request for apology and the Councillor's response;

- (d) suspension or removal of the appointment of a Councillor as chief elected official under section 150(2) of the Act;
- (e) suspension or removal of the appointment of a Councillor as the deputy chief elected official or acting chief elected official under section 152 of the Act;
- (f) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- (g) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
- (h) 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;
- (i) 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.

PART 20: REVIEW

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

READ a first time this 8 day of March, 2018.

READ second time this 8 day of March, 2018.

READ a third time this 8 day of March, 2018.

Signed this 26 day of April, 2018.

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Mayor

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Chief Administrative Officer

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# Council Remuneration

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Date Approved by Council: October 19, 2016

Resolution: 2016-10-19-10

Review Date: Organizational Meeting

Related Bylaw: N/A

Amendments: 2019-07-11-130

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## **Policy Statement**

The purpose of this policy is to establish the rates of pay for Councillors for attendance for all Council and Committee meetings as well as to establish rates for the reimbursement of mileage and expenses.

## **Honorarium**

An honorarium will be paid to all Councillors. Honorariums are paid as compensation for Councillors attendance at regular and special council meetings and any other meetings of Council including public meetings, public hearings, and any other meeting or function other than approved committee meetings or any other attendance approved by Council resolution.

Honorariums will be paid to each Councillor on a quarterly basis unless otherwise requested by the Councillor.

The annual honorarium received by the Mayor will be \$3,000.

The annual honorarium received by any other Councillor will be \$2,500.

## **Per Diem**

Per diem rates will be paid to each Councillor based on attendance at approved Committee meetings as established annually, at the Organizational Meeting or for any other meetings or events approved by Council resolution.

The per diems rates are as follows:

½ Day Meeting/Event (Up to 4 Hours)	\$75/Meeting
Full Day Meeting/Event (Over 4 Hours)	\$150/Meeting

## **Mileage**

Mileage reimbursement will be paid for any meeting held outside of the Village boundary.

Mileage will be reimbursed at the current Canada Revenue Agency prescribed rate for that year.

### **Reimbursable Expenses**

Other expenses must be accompanied by a receipt in order to qualify for reimbursement.

Only those expenses directly related to approved meeting or functions are eligible for reimbursement.

### **Payment of Per Diems, Mileage and Reimbursable Expenses**

Per diems, mileage and reimbursable expenses will be paid to each Councillor upon receipt of approved expense forms by the Chief Administrative Officer.



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# Council Conferences/Training

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Date Approved by Council: October 19, 2016

Resolution: 2016-10-19-11

Review Date: Organizational Meeting

Related Bylaw: N/A

Amendments:

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## **Policy Statement**

The purpose of this policy is to provide opportunity for Councillors to attend conferences and training sessions related to their function as an elected official for the Village.

## **Guidelines**

Council should be kept aware of happenings and functions of local government by attending conferences and training sessions as applicable.

Council is encouraged to send as many Councillors as possible to the Alberta Urban Municipalities Association annual convention, especially when this conference is located in Calgary.

All attendance at conferences or training sessions require approval by resolution of Council if not approved in the annual budget.

Councillors attending conferences or training sessions shall provide written or verbal reports at the Regular Council Meeting following their attendance. All documents from conference or training sessions shall be made available to the rest of Council and the CAO upon request.

Any Councillor who attends any conference or other training session not approved by resolution of Council or through the annual budget will do so at their own expense, and will not be reimbursed for costs they incurred.

# Policy & Bylaw Review

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Date Approved by Council: October 19, 2016

Resolution: 2016-10-19-12

Review Date: Organizational Meeting

Related Bylaw: N/A

Amendments: 2020-09-17-224

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## **Policy Statement**

It is necessary that all approved Village of Hussar policies and bylaws be reviewed and/or amended on a regular basis.

The Village of Hussar has adopted several polices that direct Council's decision-making process and the day-to-day operations of Administration. The Village recognizes that it is prudent to regularly review these policies to ensure they are an accurate reflection of the Village's principles and procedures. In addition to policies, the Village has several bylaws that govern activities within the Village's boundaries. The Village recognizes that these bylaws should be reviewed to determine whether they are still accurate or necessary.

This policy applies to all Village of Hussar policies and bylaws

## **Guidelines for policy review**

Each approved policy will include a review date upon which the policy will be reviewed by Council at the next Regular Meeting after the review date. Time permitting Council and Administration will try to review at least two policies per Regular Council Meeting. Legislative Policies will be reviewed annually at the Organizational Meeting of Council.

Council and Administration will review the policy and determine if it is accurate, requires amendment or should be rescinded. Policies that are reviewed by Council with no amendments do not require a resolution but a note shall appear in the Minutes listing all policies that were reviewed at that meeting. Council and Administration are encouraged to suggest new policy ideas above and beyond the regular policy review process.

## **Guidelines for bylaw review**

Time permitting Council and Administration will try to review at least one bylaw per Regular Council Meeting. Bylaws 538-21 Procedural and 518-18 Council Code of Conduct will be reviewed annually at the Organizational Meeting of Council.

Council and Administration will review the bylaw and determine if it is accurate, requires amendment or should be rescinded. Bylaws that are reviewed by Council with no amendments do not require a resolution but a note shall appear in the Minutes listing all bylaws that were reviewed at that meeting. Council and Administration are encouraged to suggest new bylaw ideas when they arise

**Responsibilities**

The Chief Administrative Officer is responsible for filing and organizing approved policies and bylaws and for tracking review dates as well as presenting new and approved policies and bylaws for review to Council. Prior to the review of a proposed policy or bylaw, the CAO will determine if existing policy direction or any other information is already provided in the MGA, existing bylaws, existing municipal policies, employee job descriptions, or any other documents.

Council is responsible for reviewing, accepting and/or amending all policies upon presentation of the policy or bylaw at a meeting of Council.

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# Electronic Recording of Council Meetings

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Date Approved by Council: May 10, 2016

Resolution: 11.05.16

Review Date: Organizational Meeting

Related Bylaw: N/A

Amendments: 2016-10-19-13

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## **Policy Statement**

The purpose of this policy is to set out guidelines to be followed when meetings of the Village of Hussar are being electronically recorded

## **General Statement**

Electronic recording of some Village meetings such as the Assessment Review Board and the Subdivision & Development Appeal Board are necessary. At times, the local news media also prefers to electronically record all or a portion of Village meetings for recall purposes. Council of the Village of Hussar believes that all individuals, whether members of Council, members of Council Committees, staff or the public have the right to know that they are being electronically recorded.

## **Guidelines**

The Village of Hussar Council and Committee meetings are open for the public and media to attend. The Village of Hussar records all or portions of official proceedings. Members of the public or media representatives are permitted to record meeting proceedings on their own recording devices. The retention or use of these recordings cannot be directly controlled by the Village. For this reason the following measures will be taken.

- The Village shall place signs on the doors entering the Council Chambers indicating that any meetings may be electronically recorded.
- A tent sign shall also be placed on the Council Chambers table indicating that any meetings may be electronically recorded.
- Recordings of meetings will be kept in archives for a period of 12 months from the day of recording.
- Recordings are available to the public during Village Office hours and notification of such shall be made on the Village of Hussar website.

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# Public Participation

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Date Approved by Council: June 28, 2018

Resolution: 2018-06-28-130

Review Date: Organizational Meeting

Related Bylaw: N/A

Amendments:

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## **Policy Statement**

In accordance with Section 216.1 of the *Municipal Government Act*, this Public Participation Policy has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public.

This policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act*.

## **General Policy Principles**

Council recognizes that good governance includes engaging Municipal Stakeholders in Public Participation by:

- Creating opportunities for Municipal Stakeholders who are affected by a decision to influence the decision;
- Promoting sustainable decisions by recognizing various Municipal Stakeholder interests;
- Providing Municipal Stakeholders with the appropriate information and tools to engage in meaningful participation; and
- Recognizing that although councillors are elected to consider and promote the welfare and interests of the Municipality as a whole and are generally required to vote on matters brought before Council, facilitating Public Participation for matters beyond those where public input is statutorily required can enrich the decision making process.

## **Definitions**

“CAO” means the chief administrative officer of the Municipality or their delegate.

“Municipal Stakeholders” means the residents of the Municipality, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Municipality.

“Municipality” means the Village of Hussar.

“Public Participation” includes a variety of non-statutory opportunities where Municipal Stakeholders receive information and/or provide input to the Municipality.

“Public Participation Plan” means a plan which identifies which Public Participation Tools are to be used to obtain public input in a particular circumstance.

“Public Participation Tools” means the tools that may be used, alone or in combination, to create Public Participation opportunities including, but not limited to:

- in-person participation which may include at-the-counter interactions, door-knocking, interviews, meetings, round-tables, town halls, open houses, annual general meetings, and workshops;
- digital participation which may include online workbooks, chat groups, webinars, message boards/discussion forums, and online polls or surveys;
- written participation which may include written submissions, email, mail-in surveys, polls and workbooks; and
- representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board.

### **POLICY RESPONSIBILITIES**

Council shall:

- review and approve Public Participation Plans development by the CAO in accordance with this Policy or as directed by Council;
- consider input obtained through Public Participation;
- review this Policy to ensure the Policy complies with all relevant legislation, municipal policies and the spirit and intent of Public Participation;
- ensure appropriate resources are available to solicit Public Participation in accordance with this Policy;
- promote and support Public Participation;
- request and review information from the CAO on the scope, timing, appropriate methods and resources required for Public Participation prior to directing the development of a Public Participation Plan.

The CAO shall:

- in accordance with this Policy or as directed by Council, develop Public Participation Plans, for Council approval;
- implement approved Public Participation Plans;
- report the findings of Public Participation to Council;
- consider timing, resources and engagement when developing and modifying Public Participation Plans;
- evaluate the effectiveness of the Public Participation Plan and the Public Participation Tools used in a particular circumstance;
- communicate to Council and the public, when appropriate, the effectiveness of a Public Participation Plan and the Public Participation Tools used;
- develop the necessary procedures to implement this Policy; and
- assess this Policy and make recommendations to Council about the Public Participation and resourcing.

**PUBLIC PARTICIPATION OPPORTUNITIES**

The CAO may be directed to develop and implement a Public Participation Plan in the following circumstances:

- when new programs or services are being established;
- when existing programs and services are being reviewed;
- when identifying Council priorities;
- when gathering input or formulating recommendations with respect to budget;
- when gathering input or formulating recommendations with respect to the Municipality's strategic plan or business plans;
- when gathering input or formulating recommendations with respect to the Municipality's capital plan and/or financial plan; or
- as otherwise directed by Council.

The Municipality will, at a minimum, hold an Annual General Meeting each year, prior to June 30<sup>th</sup>. The Public Participation Plan for this meeting will include, at a minimum:

- presentation of the prior year's Annual Report or Audited Financial Statements; and
- presentation of that year's Annual Budget, including explanation of significant changes from the previous year's budget.

**POLICY EXPECTATIONS**

Legislative and Policy Implications:

- all Public Participation will be undertaken in accordance with the *Municipal Government Act*, the *Freedom of Information and Protection of Privacy Act* and any other applicable legislation;
- all Public Participation will be undertaken in accordance with all existing municipal policies;
- this Policy shall be available for public inspection and may be posted to the Municipality's website; and
- this Policy shall be reviewed at least once every four years.

Public Participation Standards:

- Public Participation will be conducted in a sustainable and inclusive manner having regard to different levels of accessibility;
- Public Participation activities will be conducted in a professional and respectful manner;
- Public Participation Plans will consider early, ongoing and diverse opportunities to provide input;
- Municipal Stakeholders who participate in any manner of Public Participation are required to be respectful and constructive in their participation. Municipal Stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public Participation opportunities; and
- the results of Public Participation will be made available to Council and Municipal Stakeholders in a timely manner in accordance with municipal policies.

**PUBLIC PARTICIPATION PLAN**

When so directed by this Policy or Council, the CAO shall develop a Public Participation Plan for approval by Council which shall consider the following:

- the nature of the matter for which the Public Participation is being sought;
- the impact of the matter on Municipal Stakeholders;

- the demographics of the potential Municipal Stakeholders in respect of which the Public Participation Tools to utilize, level of engagement and time for input;
- the timing of the decision and time required to gather input;
- what information is required, if any, to participate; and
- available resources and reasonable costs.

Public Participations Plans will, at minimum, include the following:

- a communication plan to inform the public about the Public Participation Plan and opportunities to provide input;
- identification of which Public Participation Tools will be utilized;
- timelines for participation;
- information about how input will be used; and
- the location of information required, if any, to inform the specific Public Participation.

### **PUBLIC PARTICIPATION TOOLS**

The following Public Participation Tools shall be utilized at all times and in the absence of an approved Public Participation Plan:

- all approved minutes of regular, organizational and special council meetings shall be posted on the Municipality's website in a timely manner and made available to the public upon request;
- the most current audited financial statement of the Municipality shall be posted on the Municipality's website and copies shall be made available to the public upon request;
- subject to the *Freedom of Information and Protection of Privacy Act*, and the *Municipal Government Act*, information related to the Municipality's tax and assessment rolls shall be made available to the public upon request;
- all bylaws of the Municipality shall be made available upon request, and those considered of interest or import by Council or the CAO shall be posted on the Municipality's website;
- agendas of all regular, organizational and special council meetings shall be made available to the public upon request;
- dates of all regular, organizational and special council meetings shall be advertised in a manner compliant with the *Municipal Government Act* and the Public Notification Bylaw;
- members of the public shall be encouraged to attend all regular, organizational and special meetings of council;
- written communications directed to council from the public or other correspondents shall be included in a dedicated section of the next regular meeting agenda package following its receipt, and shall thenceforth become a matter of public record; and
- the Municipality shall endeavour to respond to all reasonable inquiries for information from the public in a timely and professional manner.

### **REPORTING AND EVALUATION**

Information obtained in Public Participation will be reviewed by the CAO and a report shall be provided to Council.

The report shall include, at a minimum, the following:

- an overview of the Public Participation Plan and how it was developed;
- an assessment of the effectiveness of the Plan based on the level of engagement and the quality of input;



- a summary of the input obtained; and
- may include recommendations for future Public Participation Plans.

Reports shall be provided to Council for review.