

# Village of Hines Creek Council

## Request for Decision (RFD)

Meeting:	Regular Council Meeting
Meeting Date:	September 8, 2020
Originated By:	Leanne Walmsley, Chief Administrative Officer
Title:	Unfinished Business - Municipal Accountability Program
File:	1220

### BACKGROUND/PROPOSAL:

Municipal Accountability Program was conducted on June 3, 2020

### Legislative Gaps Summary

1. Notice of Special Meeting must specify the purpose of the Meeting (Page 21 of MAP Report) MGA Section 194

*Special Meeting Policy to September 22, 2020 Meeting for Council approval.*

2. When a Council member declares a pecuniary interest the nature of the interest must be recorded in the official minutes (Page 26 of MAP Report) MGA 172

*Amendments to Policy 100-20 and 100-23 to September 22, 2020 Meeting for Council approval.*

3. Public Hearings must be held during a regular or special council meeting, resulting in only one set of minutes. (Page 27 of MAP Report)

MGA 230

*Policy on Public Hearings for September 22, 2020 Meeting for Council approval.*

4. The dollar amount specified in the tax bylaw and the amount actually to be collected for municipal purposes must match. The DIP tax rate must match the rate provided by the ministry for that taxation year. (Page 31 of MAP Report)

*Finished – Tax Rate Bylaw No. 595-20.*

5. Borrowing bylaws must have a specified interest rate, prime or prime + is non-compliant. (Page 37 of MAP Program)

*Finished – Borrowing Bylaw 598-20 shows interest rate.*

6. Financial Statements must be approved and made available to the public prior to the legislated deadline of May 1<sup>st</sup>, Section 276(3) of the MGA (Page 48 of MAP Report).

*Policy on Financial Statement procedures January 12, 2021.*

4.d.

7. Tax Notices must include a notice of assessment date (Page 55 of MAP Report)
8. Tax Notices must include information on how to request a receipt for taxes paid. (Page 56 of MAP Report).

*Finished - both 7 & 8 were addressed on our 2020 Combined Tax Notice & Assessment Notice. June 25, 2020.*

Bylaws/Resolutions or Policy changes needed to become compliant:

1. In order for Council to authorize the CAO to sign certain documents alone either:
  - a. approval needs to be made by resolution prior to signing, or
  - b. A policy needs to be approved specifying which documents may be signed by the CAO alone. (Page 15 of MAP Report). MGA 213.

*Policy on Signing Authorities to Council for Council approval - September 25, 2020.*
2. A Code of Conduct Bylaw for Councillors is required. MGA Section 146.1. (Page 28 of MAP Report).

*We do not have a Code of Conduct Bylaw – Bylaw to Council for 1<sup>st</sup> reading November 10, 2020 Council meeting.*
3. A resolution appointing Leanne as CAO as per Bylaw 574-17 is required. (Page 30 of MAP Report).

*A resolution of Council can be made at the September 8<sup>th</sup>, 2020 meeting.*
4. Bylaw No. 589-19 the Assessment Review Board Bylaw, needs repealed/replaced. (Page 33 of MAP Report).

*Finished – Bylaw No. 597-20 rescinded Bylaw 589-19 on June 23, 2020.*
5. A Bylaw Enforcement Officer Bylaw is required which includes all requirements of Section 556 of MGA. (Page 35 of MAP Report).

*Bylaw Enforcement Officer Bylaw – January 12, 2020.*
6. Procedural Bylaw 576-18 needs amended or repealed, replaced.
  - a. Section 5.4.1. needs removed
  - b. Section 6.2 needs amended/deleted to comply with the MGA (Page 36 of MAP Report).

*An amended Procedural Bylaw – November 10, 2020 for 1<sup>st</sup> reading Council meeting.*
7. Utility Bylaw 586-19 must be amended or repealed/replaced to be consistent with Section 191 of MGA. any amendments to the schedules of the bylaw must be made through bylaw rather than resolution. (page 38 of MAP Report).

*I suggest we wait to amend the Utility Bylaw until we have determined we will be going to garbage pickup by an independent company. December 8, 2020. To prepare for the implantation of possible new rates January 1<sup>st</sup>, 2021.*

10.14



8. Public Participation Policy 500.02 needs approved by resolution.
  - a. Needs to describe the types and categories of circumstances in which the municipality will engage the public. Sections 193 and 216.1 MGA. (page 41 of MAP Report).  
*Look at and reference MGA 193 & 216.1 and bring to September 22, 2020 Council meeting for Councils approval.*
9. A 2020 Capital Budget must be passed even if it's a zero budget, Section 245 of the MGA. (Page 44 of MAP Report).  
*September 8, 2020. Council can pass a zero Capital Budget for 2020.*
10. Once an assessor bylaw is in place the assessor's salary will need to be included in the annual financial statement. (Page 49 of MAP Report).  
*November 10, 2020 Council meeting for 1<sup>st</sup> reading*
11. Three-year operating and 5 year capital plans must be approved as per Section 583.1 of the MGA. (Page 51 of MAP Report).  
*Policy outlining MGA requirement September 25, 2020.  
June 2021 Council meeting for Councils approval of Operating & Capital Budgets.*
12. A bylaw needs enacted to rescind Bylaw 487. The new Bylaw must satisfy the requirements of the MGA for establishing the assessor as a designated officer of the Village. MGA 210, 284.2 (1), 307. (Page 52 of MAP Report).  
*Rescind Bylaw 487 at the same time as new assessor bylaw is in place. –  
November 10, 2020 Council meeting.*
13. SDAB Clerk needs training there is a SDAB training guidebook available online. (Page 65 of MAP Report).  
*Clerk Training Available online 310-0000 and then 780-427-2225.  
Resolution to appoint SDAB Clerk – Organizational meeting – October 20, 2020.*
14. Website Updating MGA Part 17. 638.2 (page 67 of MAP Report).
  - a. A list of up-to-date council approved policies used to make planning and development decisions.
  - b. A summary of the bylaws and policies relating to planning decisions and their relationship to each other.  
*Updates will be ongoing as bylaws and policies come into effect.*
15. Council must appoint members to the Emergency Advisory Committee as per sections 11, 11.1, 11.2 of the Emergency Management Act. (Page 74 of MAP Report)  
*Appoint members to Emergency Advisory Committee at Organization Meeting  
Oct 20, 2020.*

16. Library Board

a. needs 5 members

b. Council members may not be appointed as alternates, so a resolution needs to be passed to either remove the alternate, or, appoint the second Councillor to the board (up to 2 councillors can sit on the library board). (Page 75 of MAP Report).

*Resolve to remove the alternate to the Library Board at Sept 8, 2020 meeting and appoint Councillor to Library Board.*

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES

We have 8 weeks from the time the MAP Report came out to present our timeline for rectifying deficiencies with Municipal Affairs.

RECOMMENDED ACTION:

That Council approved the timelines set out by administration to rectify deficiencies in the MAP Report and submit it to Municipal Affairs.

Initials show support- Reviewed by:	Manager:	C.A.O. <i>sw</i>
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