

# Village of Hines Creek Council Request for Decision (RFD)

Meeting:	Regular Council Meeting
Meeting Date:	April 27, 2021
Originated By:	Kimberley Kuntz – Administrative Assistant
Title:	New Business – 2021 Municipal Election
File:	0109

## BACKGROUND/PROPOSAL:

There will be a Municipal Election held on Monday, October 18, 2021. In preparation administration has compiled a package for prospective candidates and a FAQ sheet to post on the Village website and Facebook page.

The Local Authorities Election Act, section (28)(6) states that anybody can request to see the filed nomination papers from Nomination Day (January 1, 2021) up until the term of office which the papers relate to has expired (October 20, 2025).

If council wishes a policy can be created stating that administration will make public, on the Village's website, the list of candidates who have filed Nomination Papers. (See Page 5 of the 2021 Municipal Election Package).

## DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES

## RECOMMENDED ACTION:

Initials show support- Reviewed by: <i>AK</i>	Admin Assist: <i>KK</i>	C.A.O.
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## 2021 Municipal Election Frequently Asked Questions

### 1. When is Election Day?

The next municipal election will be held on Monday, October 18, 2021.

### 2. What do I need to know before I choose to submit a Nomination Package?

A Candidates Guide: Running for Municipal Office in Alberta can be found here(link to website). It provides information regarding candidate eligibility, the nomination process and other considerations.

### 3. Where can I get a nomination package?

Nomination packages can be picked up at the Village Office at 212 10<sup>th</sup> Street, or they can be found on our website here(link to website).

### 4. When is nomination day?

An eligible candidate's nomination package can be submitted to the Returning Officer at the Village Office starting January 1, 2021 and ending at 12:00 pm on September 20, 2021. Late submissions will not be accepted.

### 5. What must be included in a nomination package?

An eligible candidate's nomination package must include:

- a complete *Form 4 Nomination Paper and Candidate's Acceptance*; Form 4 must include the signatures of at least 5 people who are eligible to vote in the upcoming municipal election.
- a complete *Form 5 Candidate Financial Information*

### 6. If I am elected, will I receive any financial compensation?

Yes, elected officials are paid to perform their duties, they are paid quarterly with the rates of remuneration set out in Policy 100-05 Council Remuneration (link to policy).

### 7. Who do I talk to if I have more questions?

You can call the Village office, or visit <https://www.alberta.ca/municipal-elections-overview.aspx> . You can also come to a council meeting to see the process in action, council meetings are the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month at 7 p.m. in Council Chambers (located upstairs at 212 10<sup>th</sup> street).





**Village of Hines Creek  
2021 Municipal Election**

**General Information for Prospective Candidates  
and  
Nomination Package**

**Nomination Day:**

**Monday September 20, 2021**

Nomination papers must be filed at the Municipal Office at 212 10<sup>th</sup> Street,  
Hines Creek, AB no later than 12:00 noon on September 20, 2021.

**Election Day:**

**Monday, October 18, 2021**

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## 1. Purposes, Powers and Capacity of Municipalities

The Canadian Constitution delegates responsibility for municipal institutions to the provinces. All municipalities must follow the rules and provisions set out in The *Municipal Government Act* (MGA). The MGA empowers municipalities to shape their communities. It regulates how municipalities are funded and how, as local governments, they should govern and plan for growth. The MGA states the following purposes and powers of municipalities:

(3) The purposes of a municipality are:

- (a) to provide good government;
- (a.1) to foster the well-being of the environment;
- (b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality; and
- (c) to develop and maintain safe and viable communities.

(4) A municipality is a corporation.

(5) A Municipality

- (a) has the powers given to it by this and other enactments;
- (b) has the duties that are imposed on it by this and other enactments and those that the municipality imposes on itself as a matter of policy; and
- (c) has the functions that are described in this and other enactments.

A Council's principal role in the municipality and their general duties are also stated in the MGA as follows:

(201) (1) A council is responsible for

- (a) developing and evaluating the policies and programs of the municipality;
- (b) repealed 2015 c8 s20;
- (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.

(2) A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

## 2. Roles and Responsibilities of Officials in a Local Government

### Council Roles and Responsibilities

The council is the governing body of the Village of Hines Creek and the custodian of its powers, both legislative and administrative. The MGA provide that councils can only exercise the powers of the Village in the proper form, either by bylaw or resolution.

### The Councillors

Under the MGA Councillors have the duty to:

- consider the welfare and interests of the municipality as a whole and, to bring to council's attention anything that would promote the welfare or interests of the municipality
- participate generally in developing and evaluating the policies and programs of the municipality
- participate in council meetings and council committee meetings and meetings of other bodies they are appointed to by the council
- obtain information about the operation or administration of the municipality from the chief administrative officer
- keep in confidence matters discussed in private at a council meeting until discussed at a meeting held in public
- perform any other duty or function imposed on Councillors by this or any other enactment or by the council.

### The Chief Elected Official (CEO): Mayor

The CEO, in addition to performing a councillor's duties, must preside when attending a council meeting, unless a bylaw provides otherwise.

The CEO must also perform any other duty imposed under the MGA or any other enactment. In practice, the CEO is also generally the main spokesperson for the municipality, unless that duty is delegated to another councillor.

The CEO of a city or town is elected by a vote of a municipality's electors, unless the council passes a bylaw requiring council to appoint the CEO from among the councillors. In a village, summer village, or municipal district, council appoints the CEO from among the councillor unless it passes a bylaw providing that the official is to be elected by a vote of the municipality's electors.

The CEO role, unless a bylaw says otherwise, includes:

- chairperson of council
- consensus seeker amongst members of council
- liaison with senior elected officials
- ex officio member on various boards and committees
- key representative with regard to ceremonial responsibilities
- liaison with other levels of government
- advice with regard to policy development

A deputy CEO will assume this role if the CEO is not available.

### Chief Administrative Officer (CAO)

Every council must establish, by bylaw, a position of CAO. The council may give the position an appropriate title, such as Town Manager or Administrator.

The CAO is the administrative head of the municipality.

The CAO's responsibilities include:

- ensuring that the municipality's policies and programs are implemented



- advising and informing the council on the operation of the municipality
- performing other duties assigned by the council
- ensuring appropriate staffing is in place

Councillors work with the CAO to keep informed on what the municipality is doing and will depend on the administration to provide information so they can make sound decisions.

A performance appraisal system for the CAO is a key building block for a lasting and positive relationship between council and the CAO.

### **3. Are you Qualified for Nomination as a Candidate?**

#### Qualification of Candidates

Local Authorities Election Act-Section 21(1) a person may be nominated as a candidate in any election under this Act if on nomination day the person:

- a) is eligible to vote in that election;
- b) has been a resident of the local jurisdiction for the 6 consecutive months immediately preceding nomination day (September 20, 2021); and
- c) is not otherwise ineligible or disqualified.

#### Ineligibility

Local Authorities Election Act-Section 22(1) A person is not eligible to be nominated as a candidate in any election under this Act if on nomination:

- a) The person is the auditor of the local jurisdiction for which the election is to be held;
- b) The person is an employee of the local jurisdiction for which the election is to be held unless the person takes a leave of absence under this section;
- c) The person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount:
  - i. Any indebtedness for current taxes, and
  - ii. Any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of and money due under the agreement;
- d) The person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days;
- d.1) the person has, within the previous 10 years, been convicted of an offence under this Act, the Election Act, the Election Finances and Contributions Disclosure Act or the Canada Elections Act.

### **4. Time Commitment and Workload**

The Local Authorities Election Act specifies that council members elected in the 2021 general election will serve a four year term. The time commitment for Councillors is a part-time commitment. Currently, the council meetings are scheduled for the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month at 7:00 p.m. Special meetings may be called when emergent matters arise. An Organization Meeting will be held October 26, 2021 at 7 p.m., at

which time the Oath of Office will be executed and committee and board appointments will be made. Councillors are expected to attend Council Orientation that will be offered within 90 days of the election.

#### Boards and Committees

Council members are appointed to several boards and committees. These can be internal (created by Council for a specific reason) or external (the municipality has been invited by an outside organization to participate). Members of Council represent the interests of the municipality while serving on these boards and committees and report back to the rest of council on committee initiatives. Board and committee meetings only involve the members of Council that have been appointed to them. A list of current Boards and Committees is included as "Schedule A" in this package. At the annual Organization Meeting, held in the fall, councillors are assigned to each board and committee.

#### Remuneration

Elected Officials are paid to perform their duties as per Policy 100-05 Council Remuneration, a copy of Policy 100-05 is included as "Schedule B" in this package. Councillors are also given a monthly phone allowance and are reimbursed for travel, meals and accommodations.

### **5. Nomination Process**

Nomination Period closes at 12 p.m. on September 20, 2021 (Nomination Day). Form 4 and Form 5 must be filled out completely and filed before the deadline. Form 4 must include the signatures of at least 5 people who are eligible voters.

A person is eligible to vote if they are:

- At least 18 years of age on Nomination Day;
- A Canadian Citizen;
- Residing in Alberta and their place of residence is located in Hines Creek on Election Day (October 18, 2021)

For each elector signing the Nomination Form, the elector's printed name, complete address (civic and mailing address) and signature must be included.

**Candidate:** The nomination form states that you are required to make an affidavit saying that you are eligible for nomination, not otherwise disqualified, and that you will accept the office if you are elected. You must swear or affirm that affidavit before a Commissioner of Oaths, or the Returning Officer. The Original Signed Copy of the Nomination Papers must be filed. It is recommended that these be delivered to the Municipal Office in person.

### **6. Viewing of Nomination Papers**

The Local Authorities Election Act states:

(28)(6) At any time after the commencement of the nomination period (January 1, 2021) until the term of office to which the filed nomination papers relate has expired (October 20, 2025), a person may request to examine the filed

nomination papers during regular business hours and in the presence of the Returning Officer, Deputy or Secretary.

On receipt of nomination papers for the 2021 election, the Village of Hines Creek will be posting a listing of the candidates who have filed Nomination Papers on its website.

#### **7. Withdrawal of Nomination**

The Local Authorities Election Act states:

(32)(1) A person nominated as a candidate may withdraw as a candidate at any time during the nomination period.

(2) Subject to subsection (3), at any time within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office are nominated, any person so nominated may withdraw as a candidate for the office for which the candidate was nominated by filing with the Returning Officer a withdrawal in writing.

(3) If, after one or more candidates have withdrawn in accordance with subsection (2), the number of remaining candidates does not exceed the number of vacancies to be filled, the returning officer shall refuse to accept further withdrawals.

#### **8. Election by Acclamation**

The Local Authorities Election Act states:

34(1) When at the close of nominations the number of persons nominated for any office is the same as the number required to be elected, the returning officer shall declare the person nominated to be elected for the office for which they were nominated.

#### **9. Notice of Election**

The Local Authorities Election Act states:

35(1) If more than the required number of persons for any office remain nominated 24 hours after the close of nominations, the returning officer shall declare that an election shall be held for filling that office.

## "Schedule A"

**Council Board, Committee and Organization List**

- Clear Creek Fire Committee
- Hines Creek & District Recreation Board
- North Peace Housing Foundation
- North Peace Regional Landfill Commission
- Hines Creek & District Agricultural Society
- Fairview Medical Clinic Management Committee
- Health Professional Enhancement Committee
- Mighty Peace Tourist Association
- Rodney Bjornson Fitness Centre Board
- Hines Creek Volunteer Fire Department
- Hines Creek Library Board
- Peace Library Systems
- Municipal Planning Commission
- Peace Regional Subdivision & Development Appeal Board

“Schedule B”



VILLAGE OF HINES CREEK

POLICIES AND PROCEDURES MANUAL

COUNCIL

TITLE: Honorarium Payment to Council Members

POLICY NUMBER: 100-05

EFFECTIVE DATE: October 13, 1992

POLICY STATEMENT:

1. The Village of Hines Creek will establish remuneration on a per meeting basis. Eligible meetings are Regular, Special Council meetings, Committee and Board appointed meetings.

RATE OF REMUNERATION:

2. Rates to be established and amended, as required, by Council resolution.

Mayor

Meetings less than 4 hours (including travel time)	\$165.00
Meetings more than 4 hours (including travel time)	\$275.00

Deputy Mayor

Meetings less than 4 hours (including travel time)	\$165.00
Meetings more than 4 hours (including travel time)	\$275.00

Councillors

Meetings less than 4 hours (including travel time)	\$165.00
Meetings more than 4 hours (including travel time)	\$275.00

Mileage Rate – at the Government of Alberta rate.

COMMUNICATION ALLOWANCE

1. All Councillors are provided with a \$50.00 per month communication allowance to cover household telephone expenses, cell phone charges and internet expenses.

## MEALS AND ACCOMMODATIONS

1. Where a Councillor is required to travel on approved Village business, the Councillor may claim an amount as listed (inclusive of G.S.T.).

Meals	
Breakfast	\$15.00
Lunch	\$20.00
<u>Supper</u>	<u>\$30.00</u>
Total	\$65.00

2. If meal expenses exceed the meal allowances listed above, including a 15% gratuity, The Village of Hines Creek will reimburse the meal upon submission of a receipt.

3. Notwithstanding clause 2 the Village of Hines Creek will reimburse meal expenses upon submission of a receipt to a maximum of twice the claimable amounts listed in cause 1 above.

4. The Village of Hines Creek will not provide reimbursement for alcoholic beverages.

5. Councillors may pay for the meal costs of other Councillors or other elected officials, if the meeting for which the meal costs relate to is a meeting regarding Village of Hines Creek business. Reimbursement for meals costs will be in accordance with clause 1, 2, 3, and 4.

6. An incidental allowance of \$20.00 per day will be provided to cover gratuities and miscellaneous expenses while a Councillor is required to travel on Village business.

7. Hotel accommodations will require a receipt in order to be reimbursed. It is expected that the Councillor's hotel accommodations be in the most economical room available. Unnecessary or unreasonably excessive costs or hotel upgrades will be the financial responsibility of the Councillor.

8. Village of Hines Creek will reimburse Councillors \$50.00 for private accommodations except for when the accommodation is a private dwelling of the Councillor in which case no reimbursement will be paid.

9. If a Councillor's adult partner chooses to attend a Village event, the resulting costs will be borne by the Councillor.

## REGISTRATIONS

1. Registration fees for duly authorized attendance at conventions, seminars, workshops, Elected Officials Educations Program courses or other similar functions will require a receipt in order to be reimbursed.

2. Registrations are to be submitted to the designated municipal employee who will submit registration and make hotel accommodations.

## ADMINISTRATION

1. Councillor remuneration and expense budgets are approved in the annual budget.
2. If a Councillor exhausts the budget allocations for remuneration and expenses a Council resolution will be required to approve subsequent claims.
3. Councillors must submit all outstanding remuneration and expense claims within one month of closing of a budget year. This means that all expenses incurred prior to December 31 of a given year, must be submitted by January 31 of the next year.
4. Councillor expense claims must be accompanied by all necessary receipts and/or documentation. Receipts must be detailed; a credit card slip or statement will not be accepted for expense claim reimbursement.
5. The compliance of this policy is the responsibility of each individual Councillor in cooperation with the Village Council as a whole.
6. The procedures of this policy apply to all expense claims that are submitted on or after the effective date of this policy.
7. Should a Councillor wish to decline any of the eligible remuneration or expenses prescribed under this policy, the Councillor shall submit a written request to the Chief Administrative Officer, or designate, specifying the time frame or parameters of the cessation.

#### TRAVEL, SUBSISTENCE & ACCOMMODATION

1. Travel, subsistence and accommodations will be consistent with the rate paid to employees, in accordance with the Village of Hines Creek Personnel Policy Handbook.
2. Any revision to the Personnel Policy Handbook to be made by Council resolution.

#### PAYMENT OF REMUNERATION:

1. Payment for meeting remuneration and mileage to be made on a quarterly basis.
2. Expenses associated with conference or travel on behalf of the Village of Hines Creek to be paid in advance or reimbursed immediately, as required.

#### OTHER:

1. Newly elected Councillors shall receive the established per diem and mileage rates for attendance at orientation meetings held prior to the organization meeting.

#### END OF POLICY

APPROVED: October 13, 1992

AMENDED: Resolution #C241-16  
Resolution #C324-17  
Resolution #C004-19  
Resolution # C070-19

Date: July 12, 2016  
Date: October 24, 2017  
Date: January 9, 2019  
Date: February 12, 2019





**Candidate's Acceptance**

I, the above named candidate, solemnly swear (affirm)

- THAT I am eligible under sections 21 and 47 (and section 12, in the case of summer villages) of the *Local Authorities Election Act* and sections 4(4) and 74 of the *Education Act* (if applicable) to be elected to the office;
- THAT I am not otherwise disqualified under section 22 or 23 of the *Local Authorities Election Act*;
- THAT I will accept the office if elected;
- THAT I have read sections 12, 21, 22, 23, 27, 28, 47, 68.1, and 151 and Part 5.1 of the *Local Authorities Election Act* and sections 4(4) and 74 of the *Education Act* (if applicable) and understand their contents;
- THAT I am appointing

\_\_\_\_\_  
 Name, Contact Information or Complete Address and Postal Code and Telephone Number of Official Agent (if applicable)  
 as my official agent.

- THAT I will read and abide by the municipality's code of conduct if elected (if applicable); and
- THAT the electors who have signed this nomination paper are eligible to vote in accordance with the *Local Authorities Election Act* and the *Education Act* and resident in the local jurisdiction on the date of signing the nomination.

Print name as it should appear on the ballot

\_\_\_\_\_  
 Candidate's Surname                      Given Names (may include nicknames, but not titles, i.e., Mr., Ms., Dr.)

SWORN (AFFIRMED) before me

at the \_\_\_\_\_ of \_\_\_\_\_,

in the Province of Alberta,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



\_\_\_\_\_  
 Candidate's Signature



\_\_\_\_\_  
 Signature of Returning Officer or Commissioner for Oaths  
 or Notary Public in and for Alberta  
 (Also include printed or stamped name and expiry date)

**RETURNING OFFICER'S ACCEPTANCE**

Returning Officer signals acceptance by signing this form:

\_\_\_\_\_  
 Signature of Returning Officer

**IT IS AN OFFENCE TO SIGN A FALSE AFFIDAVIT OR A FORM THAT  
CONTAINS A FALSE STATEMENT**

# Candidate Financial Information

*Local Authorities Election Act*  
(Section 27)

**Note:** The personal information on this form is being collected to support the administrative requirements of the local authorities election process and is authorized under section 27 of the *Local Authorities Election Act* and section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information will be managed in compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions concerning the collection of this personal information, please contact

\_\_\_\_\_  
Title of the Responsible Official

\_\_\_\_\_  
Business Phone Number

Candidate's Full Name \_\_\_\_\_

Candidate's Address and Postal Code \_\_\_\_\_  
\_\_\_\_\_

Address(es) of Place(s) where Candidate Records are Maintained \_\_\_\_\_  
\_\_\_\_\_

Name(s) and Address(es) of Financial Institutions where Campaign Contributions will be Deposited (if applicable)  
\_\_\_\_\_  
\_\_\_\_\_

Name(s) of Signing Authorities for each Depository Listed Above (if applicable)  
\_\_\_\_\_  
\_\_\_\_\_

Where there is any change in the above mentioned information, the candidate shall notify the local jurisdiction in writing within 48 hours of such changes by submitting a completed information form.

