

Pre-Election Council Information



MUNICIPALITY OF
WESTLAKE-GLADSTONE

2022-2026

SO..... YOU ARE THINKING OF RUNNING FOR COUNCIL

The decision to run for Council is both exciting and daunting at the same time!

Individuals run for a variety of reasons. Some people run because they are passionate about making positive changes in their communities. Others run because they believe they have excellent knowledge obtained through work and life experiences that can be applied to local governance. Some people run out of genuine interest in political processes and want to gain a better understanding of Municipal government and its relation to the Provincial and Federal levels.

It is important to ask yourself the question “Why am I running for Council?”, and to identify your intentions if you become an elected official. Financial reimbursement, or potential personal gain for yourself, family, friends, or associates, are not good reasons to run for Council.

This manual will provide a brief introduction to local government, define the roles and responsibilities of Council, identify expectations of Council members, and explain code of ethics, conflict of interest, good governance, and transparency.

Do You Qualify to be a Candidate?

In order to be eligible for election, you must satisfy certain legal qualifications. To qualify to be an elected official, you must be:

- A Canadian Citizen;
- At least 18 years of age, on the day of the election;
- A landowner in the Municipality;
- Not subject to any disqualifications under the Municipal Council and School Board Election Act.

The Municipal Council and School Board Elections Act states that the following are disqualified from running for council:

- A member of the Legislative Assembly (MLA);
- A member of the House of Commons (MP) or the Senate of Canada (Senator);
- A judge of any court or a justice of the peace;
- A person prohibited from being an election official by an order made by a judge;
- A person who, within five years before the proposed appointment, was convicted of an indictable offence, or served any part of a term of imprisonment for an indictable offence.

Municipal employees are also disqualified, unless they apply for a leave of absence during the time of election. All such requests must be granted. An employee may ask Council for a longer leave of absence if successfully elected.

As a candidate, you should be confident in your reasons for seeking election to public office. You should consider the position you are seeking, and the demands it will place on your life, if successfully elected. Most importantly, you must like working with people, even those with a different point of view. Local government is people orientated!

Benefits to You

There is a monthly indemnity paid to Council members for their time. Certain expenses incurred while performing the job may be reimbursed. The ultimate reward, is knowing that you are working towards making your community a better place!

What is Local Government

The Constitution Act grants municipalities the authority and the legislative framework to make decisions at the local level.

The Council is the governing body of the municipal corporation and the custodian of its powers, both legislative and administrative. The *Municipal Act* provides that councils can only exercise the powers of the municipal corporation in the proper form, either by by-law or resolution.

The purpose of municipal council is to provide good government, provide and maintain local services, facilities, or other things in that, in the opinion of Council, are necessary or desirable for the community, and to develop safe and viable communities.

In addition to providing essential services such as waste management, maintenance of municipal roads, protective services such as fire services, and land use planning, municipalities have the authority to tax property, acquire ownership of properties which have unpaid taxes, and expropriate land for municipal purposes.

Municipalities are corporations, which enables them to act as a “business” and operate their municipality. Municipalities have power to buy and sell land, purchase equipment, and enter into agreements for goods or services.

Considering the amount of power, authority, and responsibility a municipality possesses, it is mandatory that operation is conducted with transparency, and with good governance.



Roles and Responsibilities

Council is the governing body of a municipality. The Municipality of WestLake-Gladstone is composed of Mayor, and six Councillors. The Municipal Act outlines the realms of jurisdiction a municipality has authority to govern. This document can be found online at <https://web2.gov.mb.ca/laws/statutes/ccsm/m225e.php> It is important to familiarize yourself with this Act.

Role of Council

Council is a group of democratically elected representatives, who are collectively responsible for making decisions for the municipality, about its services, policies and programs. Council as a whole is responsible for:

- **Decision Making and Governance**
 - For developing and evaluating the policies and programs of the municipality;
 - For carrying out the powers, duties, and functions given to council under the *Municipal Act*, or any other Act;
 - To participate generally in developing and evaluating the policies and programs of the municipality;
 - To comply with the Code of Conduct for members of Council;
- **Representation**
 - To consider the well-being and interests of the municipality as a whole and to bring to Council's attention anything that would promote the well-being or interests of the municipality;
- **Stewardship**
 - For ensuring that the powers, duties, and functions of the municipality are appropriately carried out;
 - To keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the council decides to keep confidential until the matter is discussed at a public meeting;

It is important that members dedicate themselves to making informed decisions on any matter coming before Council, while giving consideration to the impact the decision will have on all parties involved.

It is the responsibility of Council to keep current on the financial conditions of the Municipality, and commit themselves towards working as a cohesive, solid team.

Council may delegate certain powers, functions, or duties to the head of council, a council committee, the Chief Administrative Officer, or a designated official. Council does NOT have the authority to delegate powers, duties, or functions to individual council members. *REMEMBER*, all decisions of council are made as a team!!

COUNCIL MEMBERS SHOULD....

- Be willing to serve others,
- Be open to the opinions of others,
- Understand the limitations of the authority of their role,
- Possess personal integrity,
- Have the ability to “think outside the box”,
- Have the desire to be a leader,
- Be accountable for their actions,
- Focus on the Municipality as a whole,
- Be able to accept democracy,
- Be committed towards preparation.

Role of Mayor

The Mayor is the figurehead of the Municipality. In addition to general roles of a member of council, the Mayor has the following additional responsibilities:

- To chair when in attendance at a council meeting, except where the procedures by-law or this or any other Act otherwise provides;
- To provide leadership and direction to the Council;
- To perform any other duty or function assigned to a head of council by the Council or by this or any other Act;
- The head of council is a member of all council committees referred to in subsection (1) unless the council expressly provides otherwise in its organizational by-law;
- Has signing authority for all agreements, financial documents as required.

The Mayor must be vigilant and active to ensure the laws governing the municipality are executed and put into force. The Mayor acts as the spokesperson for the municipality and often reports to news media and is the municipal representative to external agencies.



TIP: ALL MUNICIPAL MATTERS MUST BE KEPT CONFIDENTIAL UNTIL THEY ARE DISCUSSED AT A MEETING OPEN TO THE PUBLIC. THE CONSEQUENCE FOR BREECING CONFIDENTIALITY IS DISQUALIFICATION FROM COUNCIL!

Role of Council Committees

A committee is a body of people elected or appointed to serve in a legislative, or advisory capacity for an organization.

Council committees may be composed of just Council members, a combination of citizens and Council members, or have no Council representation at all.

Council has the authority to appointment members to committees, and the general duties of committees are as followed:

- To report after each meeting on all matters connected with the duties imposed on the committee and to recommend such action as may be deemed necessary;
- To consider and report respectively on any and all matters referred to them by Council;
- A special committee of Council may be appointed by resolution of Council at any time specifying the business to be dealt with by the committee.
- An appointment to any committee of Council may be repealed only by a resolution of the Council.

Council can choose to be comprised as a committee “of a whole”, where all members of Council are involved in making decisions, or, they can choose to appoint members of Council to specific committees.

The advantage of regular committee of the whole meetings over separate meetings of various council committees is that all members of Council are included and have equal knowledge and input into any recommendations and decisions.

The committee of the whole holds discussion to arrive at a consensus and make recommendations to take back to the council meeting.

If Council chooses to appoint members to committees, they can expect to be involved in such committees as:

Current committee appointments are:

1. GLADCO Community Loans Program
2. Gladstone Chamber of Commerce
3. Gladstone Veterinary Board
4. Libraries – Regional & Local
5. LUD of Plumas Committee
6. Northwest Handi-Transit
7. Seven Regions Community Stake Holders Committee
8. Seven Regions Health Foundation
9. Whitemud Watershed Conservation District
10. Workplace Safety & Health
11. Yellowhead Regional Water Co-op

Council Code of Conduct

A code of conduct for a group or organization is an agreement on rules of behavior for the members of that group or organization.

Municipalities are required under the Municipal Act to establish a Council Code of Conduct. The Code of Conduct provides clear guidelines regarding acceptable behavior for Council members in dealing with each other, employees, and citizens.

Citizens expect that council members fulfill their duties with honesty, and integrity, and it is expected that all members of council strictly follow these guidelines.

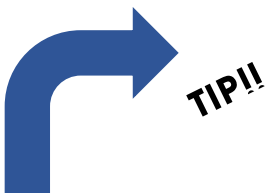
Council members who breach the Council Code of Conduct may be publicly reprimanded for their actions.

Council Conflict of Interest

A Council conflict of interest occurs when a person in a position of trust has competing personal or professional interest. The competing interest makes it difficult to make impartial decisions. It is unethical if a Council member participates in a decision when a conflict of interest exists.

There may be a Council conflict of interest if:

- A financial interest exists;
- If Municipal "inside" information is used for personal or family betterment;
- Compensation is being offered for performing certain tasks or making certain decisions (bribery).



Councillors must not act in their official role to assist organizations in their dealings with the Municipality, as this may result in preferential treatment to that organization or person.

Statement of Assets and Interests

All Council members must annually file a Statement of Assets and Interests. This is a public document and can be viewed by citizens at any time. Citizens have access to these documents in case there are suspicions of conflict of interest.

You must disclose real estate holdings in the municipality and personal financial interests that you, or your spouse or dependent child have. Only the nature of the financial interest must be disclosed, not the financial details.

Time Commitment

One of the most important functions undertaken by the Mayor and Council is to attend and participate in the decision-making process that occurs at Council meetings. These important decisions provide the direction and authority to designated officers of the Municipality.

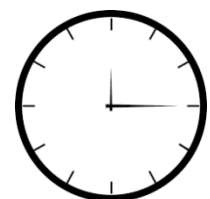
Being a Councillor requires a time commitment that extends beyond the regular scheduled meetings of council. You will be expected to attend special meetings, public hearings, council meetings, government conventions and information sessions.

You may also be asked to represent Council at community events. If you intend to be an informed participant, you will have to spend time researching current issues. You will also be asked to assist in presenting new initiatives to the community, and meet with government officials to discuss community projects and issues.

You should be prepared for phone calls and visits from community members. They will expect that you will follow-up with their concerns.

An important part of being an effective council member is time management, in order to establish a healthy balance between work, council, and personal time.

- **The roles of Mayor and Councillor require a huge investment of time. It is important to remain flexible to be able to satisfy the demands of the position.**
- **It is not unusual for conflicts to arise with friends, neighbors, community members, and business partners. They may see your role as advantageous and try to take advantage of your position by requesting special favors.**
- **It is important to remember that individual members of Council are not authorized to make decisions independently. Decisions must occur by resolution at an organized council meeting.**



Council Meetings

Council members are expected to attend all council meetings and participate in debate and discussion regarding municipal governance. Council works together as a team to decide upon the overall direction of the municipality by establishing a vision, goals and objectives during the orientation meeting.

At council meetings, every member present has one vote, for each time a vote is held. Members are expected to vote on every decision, unless there is conflict of interest. If a conflict of interest occurs, affected members are excused from voting.

Willingness by all members of council to reason, and discuss issues cooperatively, will lead to the development of a positive council. The result will be a more informed, higher quality level of decision making.

Lack of team spirit in council quickly leads to divisiveness, development of highly competitive attitudes, and a negative spirit amongst members. This negativity can influence community member's faith and trust in Council.

If you or an immediate family member have a pecuniary (financial) interest, in any matter brought to a Council meeting, you are required to disclose the interest before the meeting, and you must withdraw from the meeting when the matter is discussed.

This is referred to as **Disclosure**.

Meeting Agenda

The purpose of a meeting agenda is to ensure that meetings are organized, efficient, and on topic. The Chief Administrative Officer will provide you with an agenda, and all supporting documents prior to the meeting. These documents will provide you all the information you need to participate in discussion, share your opinion, and to make informed decisions.

The Decision-Making Process

Legislation provides that a Council may only act by resolution or by-law. A by-law is a law-making action at the municipal level. It is the equivalent of a federal or provincial law.

By-laws are the formal enactment rules and regulations under the authority of the Municipal Act. Resolutions express a decision of council in the form of a motion that is

moved, seconded, and adopted by a majority vote. A resolution is not as formal as a by-law, but has the equivalent legal implication as a by-law.

Examples of by-laws a municipality regulates, include animal control by-laws, building and development by-laws, noise by-laws, and property standards and derelict building by-laws. Municipalities have the authority to enforce their own by-laws. Some by-laws must obtain approval from external agencies such as the Municipal Board, or The Public Utilities Board, before they can be passed and implemented. These include borrowing by-laws, and water and wastewater rate by-laws.

As previously stated, resolutions are informal decisions that require a mover, seconder, and a vote. Examples of resolutions would be Council agreeing that the Municipality would authorize staff to undergo specialized training, approve a drainage project, approve land subdivision, or appoint an auditor.

A municipal Council acts a collective body and must make decisions as a whole. Individual members of Council do not have the authority to make promises, do "special favors", or make decisions as an individual.

Citizens trust their Council to act in a fair, open, and transparent manner. Councils have an obligation to govern fairly, and equitably. Council members act primarily in a law-making or policy making capacity and must ensure all policies are fair, and fairly applied by all. Fairness starts at the top!

Municipalities are expected to operate in a transparent manner. This is the reason why Council meetings are "open" to the public. By-laws and resolutions can only be passed when meetings are open to the public.

There are certain situations when council can "close" the meeting. The following matters can be discussed in closed meetings:

- Personnel matters
- Preliminary discussions
- Legal matters & investigations
- Issues that deal with the security of property or documents
- When the Ombudsman requests the meeting to be the closed

Public Hearings

Public hearings are held when input from community members is required to proceed with the decision-making process. They are held when major change could occur that would directly influence rate payers. Public hearings would be held when reviewing the annual financial plan, or when the municipality wants to invest significant resources into infrastructure projects. Knowing the views of the public will assist council to make the best decision.

Public opinion is a valuable resource, so it is important to encourage participation from community members.

Role of The Chief Administrative Officer and Administration

The Chief Administrative Officer is the only employee who is under the immediate direction of Council. The CAO is responsible for supervising all employees of the Municipality. It is not appropriate for any member of Council to provide direction, supervision, or discipline to ANY staff member.

The Chief Administrative Officer works closely with Council to ensure that municipal operations are occurring efficiently, and effectively. The following summarizes the responsibilities of the Chief Administrative Officer:

- Implements the policies and programs of the Municipality;
- Advises and informs Council about municipal operations, finances, and affairs;
- Manages and supervises employees;
- Carries out the powers, duties, and functions assigned to the CAO in the *Municipal Act*, or any other act;
- Ensures that proper agendas and minutes of council meetings are prepared and distributed;
- Ensures that the by-laws and minutes of council meetings and all municipal records of the municipality are kept safe and in accords with government regulations;
- Ensures that the revenues are collected, and deposited;
- Ensures that the expenditures are paid;
- Ensures all financial records are completed and up to date;
- Ensures that budgets, capital projects, and other applications are prepared and submitted to the appropriate authorities;
- Ensures that information requested of the municipality by the minister is provided within a responsible time frame;
- Assists council through research and advise on:
 - The budgeting process
 - Application of policies
 - Financing, organizing, planning, analyzing, interpreting, and evaluating affairs within the municipality.

It is a generally accepted principal that Council establishes the policies that govern the Municipality, and that the CAO and staff administers those policies. The CAO and staff are employed to provide effective and efficient administration. Neither Council, nor the CAO, can do an effective job if they do not clearly understand each other's duties and responsibilities. It is very important to develop a good working relationship, including an understanding of point of view, in order to have mutual trust and respect.

To ensure effective and efficient administration, there should be provision for adequate training for staff to enable them to carry out their duties. They must have the opportunity to learn about new developments in municipal management and administrative practice. With informed, well-trained staff council can be assured of receiving accurate information on which to base their decision.



THE CAO IS A VALUABLE RESOURCE WHO IS THE ADMINISTRATIVE HEAD OF THE MUNICIPALITY, AND IS COUNCIL'S PRIMARY ADVISOR.

The CAO will help make your job easier by:

- Providing Council with meeting agendas, and supporting documents needed to make decisions;
- Preparing financial statements to summarize the municipality's financial position;
- Providing well researched information about municipal affairs.



LEGISLATIVE STRUCTURE & ORGANIZATION

As stated earlier, Council conducts business by passing resolutions and By-Laws. The procedures and general rules of council are outlined in the Procedures and Organizational By-Law. These by-laws are term specific and are designed to help Council conduct business in an orderly and efficient manner. A Council must review these by-laws at least once every four years.

Organizational and Procedure By-Law

Council must establish an Organizational and Procedural By-Law that outlines the four-year term's organization and procedure structure. This includes defining the role of Council, their duties, functions and appointment of deputy mayor. The by-law also outlines:

- The day, time, place, and frequency of regular council meetings;
- The type and amount of notice to be given for changes to regular meetings;
- The procedure to be followed, and the type of notice to be given to change the day, time, or place of a regular meeting;
- The type and amount of notice to be given to call a special meeting;
- Rules for the conduct of council meetings
 - time frame for distributing agenda
 - quorum
 - voting
 - communication methods
 - guidelines for public participation
- Procedures for appointing a member to act as mayor if the mayor or deputy mayor are unable to act, or the position is vacant;
- Procedures for Public hearings;
- Explanation of by-laws and resolutions.

Council's Role in Financial Management

Council is accountable for the financial position of the Municipality. Remember, it is not the CAO or Public Works Foreman that is spending the Municipality's money – it is Council.

Council must ensure that the Municipality's finances are responsibly managed so that service and program priorities can be delivered at reasonable cost. This is achieved by planning, budgeting, and monitoring finances throughout the entire year.

Annual Financial Plan

The Annual Financial Plan is the municipal budget, which requires considerable input from the management team

The Financial Plan:

- Outlines proposed expenditures and revenues;
- Outlines annual service and project priorities;
- Establishes spending limits;
- Is the basis of financial decision making.

When determining the budget, Council must consider the impact to citizens as a whole.

There are six components to the Financial Plan: The operating Budget, the Capital Budget and four utility budgets.

The Operating Budget accounts for the normal operating expenditures and revenues associated with the day-to-day provision of services. This would include services such as waste management, protective services, recreation services, transportation services including maintenance, and administration costs.

The Capital Budget accounts for significant expenditures that contribute to the long-term sustainability of the Municipality. Examples of capital expenditures would include purchasing land, buildings, machinery, and major infrastructure upgrades.

The Operating Budget provides for the annual cost to deliver services and maintain infrastructure. Capital budget provides for investments in infrastructure (assets) that provide long term benefit to the Municipality.

Five Year Capital Expenditure Plan

The five-year capital expenditure plan outlines the long-term capital needs of the Municipality. It is important to prepare for longer term capital plans in order to manage investments in maintenance, and replacement of capital assets.

It is good practice and required under the *Municipal Act* to involve citizens in the budgeting process by holding a Financial Plan Public Hearing. This provides Council the opportunity to present their short- and long-term objectives and goals.

Taxation

Property taxation is the primary source of revenue for a Municipality. Council establishes the tax rate to generate the revenue needed to pay for services and programs identified in the financial plan.

Annual Financial Reporting

The most important tool for reporting the financial position of a Municipality is the year-end financial audit. The statements produced by the auditor, ensures accountability and transparency. Auditors will be able to identify if there are any accounting errors, problems with internal control systems, or if funds were spent without proper authorization.

Monitoring Municipal Finances

Council monitors the financial affairs of the Municipality to evaluate its financial position throughout the year against the approved financial plan. This allows council to take action in response to changing priorities, unanticipated events, or over spending.



Governance

Simply put, governance is the process of governing (not managing). Good governance requires:

- Exemplary leadership skills;
- Continuous committed involvement;
- An understanding of what the public wants;
- A clear vision of the future of the Municipality;
- The ability to evaluate whether or not objectives are being achieved.



Accountability

Council is responsible for their actions, decisions, and policies. They have an obligation to report, explain, or be answerable for resulting consequences. This is called accountability. Council is not only accountable to citizens; Council is accountable to the law.

Transparency

Transparency is a government's responsibility to share information with the public. The benefits of transparency are increased accountability, trust, credibility, and increased community involvement.

Conclusion

Municipal government is the level of government that is the closest to people because it directly impacts almost every aspect of the logistics of our daily lives.

Consider the following:

- The tap water we use to brew our morning coffee and quench our thirst, bathe our children with, or water our livestock;
- The infrastructure networks of roads, bridges, and sidewalks that enable us to commute to work to provide for our families, and allows us to support our local economies;
- The snow-free, maintained roads that allows school buses to safely transport our children to and from school;
- Parks and recreational facilities that serve as gathering places for families, individuals and social groups; providing opportunities for physical activity, recreation, social interaction, and the enjoyment of nature;
- The impact of donations made by the Municipality to local service groups and organizations.
- The financial support given to three fire departments to keep our homes, businesses, farms, and property safe; and the assistance provided to those involved in motor vehicle accidents;
- Annual levies given to the RCMP, veterinary clinics, libraries, and cemeteries;
- Administrative services provided to collect school division tax levies, which in turn operates schools providing educational opportunities;
- Zoning and building regulations, and building inspections contribute to the safety and longevity of families and communities as a whole;
- Education for the public on how recycling contributes towards sustainability and environmental health;

Try imagining living a life without these services: There would be no laws, fines, or property taxes. There wouldn't be safe drinking water, and roads would go unplowed. Property would be lost and lives endangered because there would be no fire departments. Trash wouldn't be collected or disposed of and pests would become rampant. Educational levies would not be collected and submitted to the province, leaving schools un-funded and kids uneducated.

The decisions made by Council greatly impact the lives of our people. Council is responsible for making informed, equitable decisions for the betterment of the Municipality, and to do so while operating with integrity, transparency, and trust.

