



REGIONAL DISTRICT OF BULKLEY-NECHAKO
COMMITTEE OF THE WHOLE

AGENDA

Thursday, May 11, 2017

PAGE NO.

ACTION

CALL TO ORDER

SUPPLEMENTARY AGENDA

Receive

AGENDA – May 11, 2017

Approve

MINUTES

3-9

Committee of the Whole Meeting
Minutes – April 6, 2017

Receive

DELEGATIONS

RCMP, NORTH DISTRICT

Sgt. Al Steinhauser, Acting Regional Commander,
North District Regional Traffic Services
Cpl. John Graham – Acting Unit Commander – North District,
Prince George Regional Traffic Services
RE: Truck Traffic Issues

MINISTRY OF TRANSPORTION AND INFRASTRUCTURE

Carl Lutz, District Manager, Bulkley-Stikine
Ron Marshall, District Manager, Fort George
RE: Truck Traffic Issues

REPORTS

10-11

Melany de Weerd, Chief Administrative Officer
- Policy re: Release of In-Camera Motions to
RDBN Member Municipalities

Direction/Receive

12

Deneve Vanderwolf, Regional Transit Coordinator
- Community to Community Forum Facilitators

Direction

13-19

Roxanne Shepherd, Chief Financial Officer
- Quarterly Financial Report – March 31, 2017

Receive

CORRESPONDENCE

20-49

Union of B.C. Municipalities – Survey of Local
Government Elected Officials on Responsible
Conduct

Receive

50

FCM Communiqué – Nominations to FCM's Board
of Directors

Receive

SUPPLEMENTARY AGENDA

NEW BUSINESS

ADJOURNMENT

REGIONAL DISTRICT OF BULKLEY-NECHAKO**COMMITTEE OF THE WHOLE MEETING****Thursday, April 6, 2017**

PRESENT:

Chairperson	Bill Miller
Directors	Taylor Bachrach Eileen Benedict Mark Fisher Tom Greenaway John Illes Rob Newell Mark Parker Jerry Petersen Darcy Repen Gerry Thiessen
Directors Absent	Shane Brienen, District of Houston Dwayne Lindstrom, Village of Fraser Lake Thomas Liversidge, Village of Granisle Rob MacDougall, District of Fort St. James
Alternate Director	Linda McGuire, Village of Granisle
Staff	Melany de Weerd, Chief Administrative Officer Janette Derksen, Environmental Services Coordinator – arrived at 11:03 a.m. Jason Llewellyn, Director of Planning Rory McKenzie, Environmental Services Operations Manager – arrived at 11:03 a.m. Roxanne Shepherd, Chief Financial Officer Wendy Wainwright, Executive Assistant
Others	Cale, Vanderhoof – left at 10:57 a.m. Nikles, Vanderhoof – left at 10:57 a.m.
Media	Flavio Nienow, LD News –arrived at 11:21 a.m.

CALL TO ORDER

Chair Miller called the meeting to order at 10:43 a.m.

**AGENDA &
SUPPLEMENTARY AGENDA**Moved by Director Illes
Seconded by Director McGuire**C.W.2017-4-1**"That the Agenda of the Regional District of Bulkley-Nechako
Committee of the Whole meeting of April 6, 2017 be approved as
amended to include a verbal report from the Chair; and further,
that the Supplementary Agenda be received."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Committee of the Whole
Minutes – March 9, 2017

Moved by Director Petersen
 Seconded by Director Illes

C.W.2017-4-2

"That the Committee of the Whole meeting minutes of March 9, 2017 be received."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

REPORTS

Vancouver Outdoor Adventure
Show

Moved by Director Newell
 Seconded by Director Benedict

C.W.2017-4-3

"That the Committee of the Whole receive the Manager of Regional Economic Development's March 29, 2017 memo titled "Vancouver Outdoor Adventure Show."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

CHAIR'S REPORT

UBCM Chairs/CAO Forum and Municipal Finance Authority Annual General Meeting – March 28-30, 2017 – Victoria, B.C.

- Introduction speech – the Honourable Peter Fassbender, Minister of Community, Sport and Cultural Development;
 - Recognized the infrastructure and social deficit in communities;
 - Spoke of the speed of the changes/climate change coming forward – how fast its occurring;
 - Need to be prepared for the future;
 - The status quo is not acceptable.
- Chair Miller and Phil Gemuth, Chair, Regional District of Kitimat-Stikine and asked questions of Minister Fassbender;
 - Emphasized the need for the RBA moving forward;
 - Negotiations needed to open.

Topics at UBCM Chairs/CAO Forum

Integrity Commission – Do B.C. Local Governments Need an Integrity Commissioner?

- The Province and UBCM completed a report;
 - Options local governments have to manage behavior at board and council tables;
 - Censor motions – verbal reprimand;
 - Codes of conduct – sense of protocol for meetings;
 - Integrity Commissioner – third party to review and give recommendation potentially with legislative backing and have enforceable penalties/reprimands;
 - Ministry oversight (no interest from the forum participants);
- Opportunity currently to build the policy – don't want it to become a provincial mandate;
- Want autonomy within own organization;
- Possibility for UBCM to have a group or contract.

Director Repen mentioned that a 2015 UBCM resolution for a municipal recall mechanism was endorsed. Chair Miller noted that it was briefly discussed in regard to a method for penalties or consequence to the issue. Chair Miller mentioned the issues that Regional Districts are experiencing in regard to Alternate Directors attending a number of meetings due to Director illness or some form of incapacitation. The electorate has voiced concerns in regard to the Alternate Director not being an elected official. Melany de Weerd, CAO recently provided the document titled "Responsible Conduct of Local Government Officials." It was recommended that local governments keep their autonomy. Chair Miller mentioned that discussion took place

CHAIR'S REPORT (CONT'D)

regarding the number of By-Elections occurring in this term of office. He indicated that some Regional Districts are moving towards supporting policy changes to remove from the *Local Government Act* the requirement to have Alternate Directors. Discussion took place regarding potential options for the electorate to choose an Alternate Director and the challenges associated with finding Alternate Directors and their involvement during meetings. The RDBN Board of Directors has been a functional Board and has had good participation from its Directors.

Staff will provide the Survey of Local Government Elected Officials on Responsible Conduct at the May 11, 2017 Committee of the Whole Meeting.

Emergency Preparedness Exercise

- Vancouver Island – Complete disaster exercise that included an earthquake with tidal wave;
 - Key findings – not enough people for a sustained process –including the use of provincial backing - didn't have human resources;
 - Need for a resource pool to build capacity.

Building Inspection Issues

- Building inspectors recommending that inspectors need practical experience;
 - Impact - cost of construction;
 - Lack of certified people;
 - Market value not there at the end of a new home build;
 - Cost to local government for provincial regulation:
 - Building code - provincial regulation;
 - All local governments across BC are opposed;
 - Metro Vancouver and other urban centres are not the drivers;
 - Drivers -building associations and developers;
 - Strong backing to not support the new building code;
 - Meeting with Building Safety Standard Branch.

Transit Advice

- Key to success:
 - Ride the bus;
 - Once the transit system is in operations ride the bus to understand and relate to those using the transit system;
 - Keep dynamic – process that grows.

Gas Tax – Operational Funding

- No response from forum participants.

Presentation - 9-1-1 Levy

- Level of support was good;
- Some opposition from Metro Vancouver – open to options;
- Retaining autonomy of local governments to set up levy according to the level of service provided;
- Cost allocation - property tax vs. levy – political concerns;
- Province moving towards collecting the levy and administer;
- Continue to monitor what will happen moving forward.

Municipal Finance Authority Presentation – Peter Urbanc, CAO

- Engaging, personable and understandable;
- Presentation will be included in the April 20th Regional Board Meeting;
- Indicated he would attend a Regional Board Meeting in 2018;
- Participants have been asking for green investment opportunities;
- Session on how to structure and set up the funds;
- Discussed pitfalls – looking at options;

CHAIR'S REPORT (CONT'D)

- As financial investors – legal responsibility to do due diligence on investment returns;
- Will send a survey to Municipalities, Regional Districts, Mayors, Chairs and CAO's regarding green investment funds – level of interest;
- Requires a minimum of \$100 million for investment purposes.

Infrastructure funding – Three Presentations

- Partnerships BC:
 - Provincial organization can help facilitate P3's (Public, Private, Partnerships);
 - Assist with Procurement;
 - Assist with setting up financing;
- Canadian Infrastructure Bank
 - Not fully developed as of yet;
 - Ensure that gaps in funding;
 - Help facilitate Public, Private, Partnerships;
 - Facilitate funding partnership.

NWBC Resource Benefits Alliance

- Chairs and CAO's met;
- Engaged Communication Consultants:
 - Draft communication strategies and briefing notes being developed;
 - Moving forward at a quick pace.
- Sent letters:
 - Provincial Government and Ministries;
 - Members of the Legislative Assembly;
- Engaged Industry and Provincial Election Candidates;
- Asking representatives to attend Chamber of Commerce meeting within the region:
 - Smithers Chamber of Commerce April 11, 2017 – Director's Bachrach and Fisher;
 - Burns Lake Chamber of Commerce April 19, 2017 – Chair Miller, Directors Benedict and Illes;
 - Houston Chamber of Commerce – April 18, 2017 – Director Newell (Chair Miller will contact Director Brienien);
 - Vanderhoof Chamber of Commerce – Director Thiessen and Petersen will contact;
 - Fort St. James Chamber of Commerce – April 12, 2017 – Director Greenaway (Chair Miller will contact Director MacDougall);
 - Fraser Lake Chamber of Commerce – April 19, 2017 – Director Parker (will contact Director Lindstrom);

Discussion took place regarding the function of the Vanderhoof Chamber of Commerce and the Fort St. James Chamber of Commerce. Concerns were discussed regarding capacity of Chamber of Commerce. Chair Miller noted that the RBA wants to speak to small local business to promote the RBA initiative.

Meeting with Ministry of Transportation and Infrastructure (MoTI) – March 27, 2018 in Prince George, B.C.

- Current issue – interface with frozen culverts and backup ice flows and potential flooding to home owners;
- Outline responsibility levels and messaging;
- MoTI – very good communication;
- EMBC – Northwest Provincial Emergency Operations Centre;
 - Wanted to move responsibility to local government;
- Manning roads and road closures during events:
 - MoTI – responsible for MoTI roads;
 - Ministry of Forests, Lands and Natural Resource Operations – responsible for Forest Service Roads.

CHAIR'S REPORT (CONT'D)

Federation of Canadian
Municipalities Convention
June 1-4, 2017 – Ottawa, ON

Moved by Director Benedict
Seconded by Alternate Director McGuire

C.W.2017-4-3

"That the Committee of the Whole recommend that the Regional District of Bulkley-Nechako Board of Directors authorize Chair Miller and Director Greenaway's attendance at the Federation of Canadian Municipalities Convention June 1-4, 2017 in Ottawa, ON."

(All/Directors/Majority) CARRIED UNANIMOUSLY

Receipt of Chair's Verbal
Reports

Moved by Director Bachrach
Seconded by Director Illes

2017-4-26

"That the Committee of the Whole receive the Chair's verbal report."

(All/Directors/Majority) CARRIED UNANIMOUSLY

SUPPLEMENTARY AGENDA

CORRESPONDENCE

The Board discussed the letter from BC Housing dated March 27, 2017 regarding Owner / Builder regulations. There were questions regarding the statistics provided in the letter, and staff indicated that they would like to work with the Province to analyze the data.

Director Thiessen commented that the District of Vanderhoof is currently hiring a Building Inspector and spoke to the impacts of the Building Officials' (BO) Qualifications. Chair Miller spoke to the Regional District continuing to voice its concerns in regard to the BO Qualifications.

Jason Llewellyn, Director of Planning noted that the provincial regulations that were passed did not include any of the measures that were proposed to reduce the impacts on local governments. All of these measures are proposed to be considered in the future as part of future regulation changes. Therefore, local governments need to ensure that the Province follows through on the needed changes regulations.

Meeting with Building and
Safety Standards Branch
-Request for Meeting Date

Moved by Director Illes
Seconded by Director Fisher

C.W.2017-4-4

"That the Committee of the Whole recommend that the Regional District of Bulkley-Nechako direct staff to follow-up with the Building and Safety Standards Branch in regard to data numbers in relation to Owner Builder Authorizations in the region; and further that the next conference call meeting with the Building Safety Standards Branch occur at the next Committee of the Whole Meeting."

(All/Directors/Majority) CARRIED UNANIMOUSLY

SUPPLEMENTARY AGENDA (CONT'D)

CORRESPONDENCE (CONT'D)

NewGold Blackwater Project
-Proposed Change to the
Transmission Line Routing
- Open House and Invitation
to Comment – April 10, 2017,
Vanderhoof, BC

Moved by Director Illes
Seconded by Director Petersen

C.W.2017-4-5

"That the Committee of the Whole receive the invitation titled
"NewGold Blackwater Project – Proposed Change to the
Transmission Line Routing – Open House and Invitation to
Comment – April 10, 2017, Vanderhoof, B.C."

(All/Directors/Majority) **CARRIED UNANIMOUSLY**

Additional wind turbine development in the region was discussed. Chair Miller indicated that New Gold's proposed changes to the transmission line alignment proposed in New Gold's Application for an Environmental Assessment (EA) Certificate was due to conversation with First Nations Communities.

Director Thiessen spoke of supporting New Gold Blackwater Gold Project by attending the meeting and in the future providing letters of support.

Discussion took place regarding New Gold Blackwater Gold Project's EA process and the benefits to the region from the project. New Gold has been a good corporate citizen in the region. The company is moving forward but construction may be delayed if the Environmental Assessment Process is not completed in a timely manner.

The link to the Resource Benefits Alliance in regard to industry that has completed its due diligence, fully engaged and is a benefit was discussed.

NEW BUSINESS

Podiatrist in the Region is
Leaving

Alternate Director McGuire commented that the Podiatrist that has been practicing in the area is leaving in August, 2017. They have been attempting to recruit a replacement for the past two years with little success. She indicated that this may be a concern for area residents.

ADJOURNMENT

Moved by Director Illes
Seconded by Director Bachrach

C.W.2017-4-6

"That the meeting be adjourned at 11:55 a.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Bill Miller, Chair

Wendy Wainwright, Executive Assistant



REGIONAL DISTRICT OF BULKLEY-NECHAKO

MEMORANDUM

TO: Chairperson Miller and Board of Directors

FROM: Melany de Weerd, Chief Administrative Officer

DATE: April 26, 2017

SUBJECT: Policy re: Release of In-Camera Motions to RDBN Member Municipalities

At the February 9, 2017 Committee of the Whole Meeting, direction was given to staff to investigate the implementation of a policy to allow the RDBN to share its In-Camera motions and relevant information with member municipalities.

Meetings of the Regional District of Bulkley-Nechako are open to the public except where it is permitted or required by section 90 of the *Community Charter* to be closed to the public. Generally, this is understood to include legal, labour and land; the specific wording is included in each of our resolutions to go in-camera, along with the subject matter to be discussed. Some RD meetings must be closed to the public under subsection 90(2), namely those where the subject matter being considered relates to one or more of the following:

- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
- (c) a matter that is being investigated under the *Ombudsperson Act* of which the municipality has been notified under section 14 [*Ombudsperson to notify authority*] of that Act;
- (d) a matter that, under another enactment, is such that the public must be excluded from the meeting;
- (e) a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the *Auditor General for Local Government Act*.

Where a subject considered is closed to the public under subsection 90(2), the Board may allow a person to attend where the Board considers it necessary; this by extension could apply to sharing minutes or discussions of the topic with elected officials of member municipalities.

As a result, staff contacted all regional districts in the province asking if they had a policy in this regard, and if so, if they would be willing to share it.

To date, responses have been received from 12 regional districts, all of which have responded that they do not have a policy allowing them to release In-Camera information to municipalities. Following are some of the comments received:

- We do not have a policy and do not share In-Camera minutes with the council of member municipalities.
- We share in-camera minutes from time to time on a case by case basis.
- If a municipal director WISHES to share an RD closed item at their municipal in camera meeting, they can make a resolution authorizing release.
- We take each issue on its own and only consider release for discussion at a particular member municipal council meeting if and when that need arises with an issue.
- The RD has frequently discussed this issue – and received legal opinion on same. The Board is required to pass a resolution each time that they wish to discuss/share information with the member municipalities.

After a careful review and considering the following,

- the legislation
- legal opinions received
- current practices of other Regional Districts,
- that the subject matters closed to the public and considered by the Regional District can vary significantly
- subject may or may not be relevant to the municipalities
- sensitivity related to having the subjects considered that are closed to the public

it is recommended that the Board continue to consider whether to share the information on a case by case basis, and pass a resolution to share the information with the appropriate municipality(ies) where it is deemed necessary by the Board.

RECOMMENDATION:

(All/Directors/Majority)

Direction/Receive



REGIONAL DISTRICT OF BULKLEY-NECHAKO

MEMORANDUM

TO: Chair Miller and Board of Directors

FROM: Deneve Vanderwolf
Regional Transit Coordinator

DATE: May 3, 2017

SUBJECT: Community to Community Forum Facilitators

The RDBN is planning a Community to Community Forum on June 28 to be hosted at the Nadleh Whut'en Administrative Building.

At this time, staff is looking for direction in regard to facilitators. The following facilitators are available for June 28.

Company	Facilitator	Cost	Services Included
Converging Voices Corp.	Marcel Shepert	\$1,200 Travel costs from Prince George are extra	<ul style="list-style-type: none"> • Pre-meeting planning and workshop design • Facilitation • Synopsis and full engagement report
Four Directions Management Services Ltd.	Dan George	Have not connected with regarding availability. Will provide update at the meeting.	
Rural Roots Learning Consortium	Shelley Worthington	\$2,000 Travel costs from Smithers are extra	<ul style="list-style-type: none"> • Initial consultation, planning & preparation • Facilitation • Follow-up consultation • Strategic level report

Recommendation:

(all/directors/majority)

Direction



Regional District of Bulkley-Nechako Memo – Committee of the Whole Agenda May 11, 2017

To: Chair Miller and the Board of Directors
From: Roxanne Shepherd, Chief Financial Officer
Date: May 1, 2017
Re: Quarterly Financial Report – March 31, 2017

Attached are the consolidated financial statements for the three months ending March 31, 2017, which show a year to date surplus of \$785,712 compared with budget.

Also attached is a colour coded summary report showing the expenses for region wide and regional rural services. In addition, each electoral area and municipal Director has been provided with a custom report that also includes the sub-regional and local services in which that jurisdiction participates.

As with previous budget reports, green indicates within budget, yellow indicates over budget by less than \$2,000 and red indicated over budget by more than \$2,000.

In the current report, all expenditure items are shown green and are therefore within budget.

The full detailed departmental financial statements are available on request.

Also attached as Schedule 1 is a listing of our capital reserves at March 31, 2017 totalling about \$7.06 million; and Schedule 2 is a listing of our debenture debt at March 31, 2017 totalling \$2.28 million.

I would be pleased to answer any questions.

R Shepherd

Recommendation:

(all/directors/majority)

1. That the memorandum from the Financial Administrator, dated May 1, 2017 regarding the Quarterly Financial Report for the three months ended March 31, 2017 be received.



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Regional District of Bulkley-Nechako

Income Statement

As of March 31, 2017

Department * Consolidated Departments

Acct	Revenue	Current Month	Year To Date	Year To Date Budget	Variance From Budget	Annual Budget
400001	Taxation & Service Agreement	0	0	0	0	86.042
400003	Parcel Taxes	0	0	0	0	108.059
400004	Electoral Area Taxation	0	0	41.825	(41.825)	8,947.034
400005	Municipal Taxation	0	0	0	0	79.375
410001	Investment Revenue	1.827	6.428	4.375	2.053	17.500
420001	Transfer from Capital Reserve	0	0	0	0	75.725
420003	Transfer from Vehicle Reserve	0	0	0	0	48.000
420009	Transfer from Plotter Reserve	0	0	0	0	30.500
420010	Transfer from Landfill Closure Res	0	0	0	0	114.000
420011	Transfer from Landfill Phase Dev	0	0	0	0	405.000
420099	Transfer from Federal Gas Tax	50.619	50.619	175.000	(124.381)	700.000
430003	Debenture Issue	0	0	0	0	19.817
441001	Donations Received	450	675	10.000	(9.325)	15.000
442001	Federal Gas Tax Revenue	0	0	0	0	838.699
442101	Other Grant Revenue	0	0	25.000	(25.000)	227.636
442102	Grants - BC Transit	0	0	0	0	7.339
443001	Province of BC Admin Grant	0	0	0	0	185.000
443002	Rural Dividend Fund	0	0	0	0	70.000
443200	Infrastructure Grant	0	0	0	0	302.901
445001	NDI Grants	0	0	0	0	83.253
446001	Grants in Lieu of Taxes	2.549	2.715	2.648	69	68.366
446002	Grants in Lieu of Alcan Taxes	0	0	0	0	864.045
449001	PEP Emerg. Expense Reimburse	0	0	75.000	(75.000)	300.000
449015	Grants for Economic Dev. Projects	2.000	2.000	48.445	(46.445)	193.778
449099	Grant In Aid	0	6.000	0	6.000	8.000
450001	Fees Collected	4.394	9.740	18.750	(9.010)	103.108
450002	Fees Collected	50	50	188	(138)	69.103
450004	Paint & Solvent Recovery	1.030	1.712	1.750	(38)	7.000
450005	Ozone Revenue	810	2.070	4.500	(2.430)	18.000
450008	Contaminated Soil Disposal	0	0	1.250	(1.250)	5.000
450007	Specified Risk Material Waste	0	0	250	(250)	1.000
450008	Construction & Demolition Waste	12.491	13.183	60.000	(46.817)	240.000
450009	Battery Recovery	0	0	3.000	(3.000)	12.000
450020	Telus User Fees	10.152	20.368	27.500	(7.132)	110.000
450021	Business Forum Registration Fees	0	0	0	0	5.000
451001	Cost Sharing Municipalities	0	0	0	0	109.464
452001	Recycling Revenue - Houston	860	860	0	860	0
460001	Administration Recovery	1.527	4.177	4.100	77	34.138
460002	Office Equipment Charge Out	0	0	0	0	10.000
460003	Admin Building Replacement Char	0	0	0	0	15.000
470001	Houston Debt Repayment	21.062	21.062	0	21.062	184.435
470002	Smithers Debt Repayment	121.792	121.792	0	121.792	211.042
470003	Burns Lake Dept Repayment	0	0	0	0	19.702
470004	Fort St. James Debt Repayment	23.051	23.051	0	23.051	29.774
470005	Fraser Lake Debt Repayment	0	0	0	0	23.220
480001	Miscellaneous Revenue	5.870	77.398	33.263	44.135	111.898
490001	Transfer from Equity in TCA	0	0	0	0	1,019.585
499999	Prior Year's Surplus	0	2,589.055	2,589.035	20	2,589.035
Revenue total		\$260.535	\$2,952.956	\$3,125.876	(\$172.920)	\$18,702.574
Expenses						
600101	Director's Remuneration	28.227	75.646	65.791	10.146	342.965
600102	UBCM Director's Remuneration	0	0	0	0	8.816
600103	NCLGA Director's Remuneration	0	0	0	0	5.878
600104	FCM Remuneration	0	0	0	0	2.519
600105	Director's Remuneration - Minerals	0	0	0	0	1.889
600106	Minerals Roundup Remuneration	16	827	1.679	852	1.679
600107	EA Director's Forum - Remuneratio	8	1.033	1.259	226	1.259
600108	Meetings with Ministers	0	0	1.259	1,259	1.259
600110	Northwest Resource B A Remuner	104	207	1,259	1,053	5,038
600197	Director's Accident Insurance	0	796	796	0	1,364
600199	Directors' CPP Matching	586	1,573	1,625	52	6,500
600201	Director's Travel	5,098	12,785	18,569	5,785	74,278
600202	UBCM Director's Travel	0	0	2,000	2,000	33,436
600203	NCLGA Director's Travel	0	2,364	11,140	8,776	12,080
600204	FCM Travel	0	0	1,000	1,000	7,460
600205	Director's Travel - Minerals North	424	424	1,000	576	8,085
600206	Minerals Roundup Travel	0	1,290	4,890	3,600	4,890
600207	Electoral Area Directors Meeting T	(188)	2,222	4,335	2,113	4,335
600208	Meetings with Ministers - Travel	0	0	1,900	1,900	1,900
600210	NWRBA TRAVEL	0	0	8,320	8,320	8,320
601001	Salaries	173.778	473.436	495.948	22.513	2,036.261
601002	Election Officials Wages	84.892	241.540	272.749	31.209	1,111.527

601101	Employee Benefits	37.598	105.251	221.017	115.766	900.844
601102	Accident Insurance	219	1.531	1.525	(6)	3.550
601103	Employee WCB Premiums	4.761	13.259	0	(13.259)	0
601104	Employee MPP Benefits	21.501	62.682	0	(62.682)	0
601201	Accrued Overtime	6.386	10.219	16.818	6.599	65.830
601205	Allocation of Staff Costs fr Gen Go	0	0	0	0	(1)
601207	Central Training Costs	0	0	0	0	1.553
601208	Training, Assessment & Governan	0	0	0	0	38.108
601209	RDBN Administration	0	0	0	0	7.637
601301	Staff Education	2.386	7.217	24.279	17.062	90.748
601401	Staff Travel	9.379	20.203	24.148	3.945	94.490
601501	Staff Functions	0	34	625	591	2.500
601701	Hiring Expense	2.197	2.388	14.375	11.987	28.000
601801	Association Dues	2.867	30.908	39.122	8.214	39.322
601901	Safety Program	300	549	2.500	1.951	7.280
602001	Utilities	19.807	61.352	44.266	(17.086)	177.566
603001	Administration Costs	0	0	5.000	5.000	20.000
603002	Office Cleaning	2.004	6.028	6.373	344	25.490
603004	Maintenance of Water Diversion	0	0	4.723	4.723	18.890
603005	Repairs of Map Copier	0	0	250	250	1.000
603006	Pump & Maintain Holding Tanks	0	0	125	125	500
603008	Repairs and Maintenance	809	12.944	56.709	43.765	227.335
603009	Parking Costs	150	450	450	0	1.800
603101	Equipment Maintenance	4.453	21.525	13.700	(7.825)	54.800
603103	Equipment Servicing	0	38	250	212	1.000
603201	Skidsteer Tires	2.572	8.046	16.375	8.329	57.500
603401	Final Closure	0	0	0	0	20.000
603402	Closeout Cost Conting.	0	0	2.825	2.825	11.300
603501	Post Closure	0	16	0	(16)	70.000
603801	Site Maintenance	4.093	28.030	15.250	(12.780)	61.000
603602	Clearview Access Road Main.	1.691	1.691	8.250	6.559	45.000
603604	Tire Removal - Site	0	0	125	125	500
603701	Truck Maintenance WWH	1.732	8.227	26.475	18.248	105.900
603702	Trailer Maintenance WWH	1.187	2.720	8.365	5.645	33.460
604001	Computer Network	1.307	14.092	26.376	12.285	94.403
604002	Central Computer Network	6.092	15.224	19.052	3.828	76.208
604004	Website Upgrades	0	0	1.550	1.550	6.200
604011	Website Maintenance & Upgrades	(475)	2.708	2.367	(341)	9.468
604012	Central Website Maintenance	720	1.105	2.182	1.058	8.650
604021	Website Content	855	1.665	6.113	4.448	24.450
605001	Feasibility Studies	0	0	0	0	18.353
605005	Waste Hauling - Southside	1.656	4.968	8.000	3.032	32.000
605006	Contribution to NW Invasive	0	0	0	0	44.500
605007	Board of Variance	0	0	300	300	1.200
605101	Equipment Fuel	10.484	24.110	32.500	8.390	130.000
605102	Truck Fuel (WWH)	8.962	25.804	34.725	8.921	138.900
605103	Lagoon Operations	0	0	2.645	2.645	10.581
605201	Contract Operations	0	6.290	20.500	14.210	126.004
605299	Consulting Fees	2.535	4.076	65.412	61.337	261.649
605301	Environmental Monitoring	5.446	5.459	11.938	6.479	47.750
605604	Line Flushing	0	0	0	0	5.000
605703	Fraser Lake Recycling	2.740	10.269	12.500	2.231	50.000
605704	Burns Lake Recycling	2.665	9.686	59.362	49.676	237.447
605705	Smithers Recycling	0	0	36.998	36.998	147.990
605706	Houston Recycling	3.187	14.094	20.558	6.464	82.232
605707	Vanderhoof Recycling	6.584	10.584	23.364	12.779	93.455
605708	Ft. St. James Recycling	228	801	21.512	20.711	86.047
605709	Granisle Recycling	340	1.020	11.366	10.346	45.463
605710	Telkwa Recycling	0	0	13.083	13.083	52.331
605720	Ozone Removal Charges	0	0	3.750	3.750	15.000
605730	5 R's Initiatives	0	0	3.125	3.125	12.500
605798	Recycling - Other	0	1.000	2.500	1.500	2.500
605801	Emergency Expenses	0	320	75.000	74.680	300.000
605810	Emergency Volunteer Program	125	130	1.000	870	14.000
605811	NESST Emerg Vol Prom	221	283	0	(283)	15.000
605999	Project Contingency	0	0	53.361	53.361	213.404
606001	Communications	4.534	13.685	17.769	4.084	68.976
606002	Newsletters	0	0	62	62	250
606003	Advertising	1.114	6.951	22.035	15.084	52.969
606004	Promotional Materials	0	0	2.625	2.625	9.000
606007	Local Trade Shows	0	900	2.000	1.100	2.000
606008	Public Education	0	0	1.738	1.738	6.950
606009	Sponsorship	0	0	7.125	7.125	24.000
606010	Kindergarten/Grade 1 Program	0	0	0	0	1.000
607001	Legal Expense	0	5.417	26.500	21.083	89.500
607002	Audit	0	0	0	0	19.200
607003	Title Searches	0	0	937	937	3.750
608001	Property Insurance	0	25.057	24.414	(644)	43.098
608002	Liability Insurance	0	84.875	87.129	2.254	87.129
608003	Vehicle Insurance	564	17.640	18.359	719	38.049
608004	Permits & Fees	493	643	800	157	2.983
609001	Supplies	3.546	6.817	21.833	14.816	78.832
609002	Central Supplies Costs	932	5.906	4.000	(1.906)	16.000
609003	Copying Costs	1.847	4.285	8.500	4.215	34.000
609005	Admin Building Replacement Char	0	0	0	0	15.145
609006	Office Equipment Charge	0	0	0	0	10.066
609011	Supplies - Meetings	2.390	5.273	8.825	3.552	34.700
611001	Repayment of Referendum Costs	0	0	0	0	17.161

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612101	Grant in Aid - Area "A"	1.500	9.500	16.791	7.291	67.163
612102	Grant in Aid - Area "B"	500	1.500	9.231	7.731	36.924
612103	Grant in Aid - Area "C"	2.500	2.500	8.674	6.174	34.694
612104	Grant in Aid - Area "D"	4.700	5.700	12.302	6.602	49.207
612105	Grant in Aid - Area "E"	500	2.750	19.391	16.641	77.562
612106	Grant in Aid - Area "F"	0	0	13.576	13.576	54.305
612107	Grant in Aid - Area "G"	0	0	4.331	4.331	17.326
612201	Annual Grants	0	0	0	0	753.849
612202	Annual Grant VoT	0	0	0	0	17.000
612203	BV Museum & Hist Soc Annual Gr	0	0	0	0	19.661
612204	BV Arts Council Annual Grant	0	0	0	0	1.108
612205	Annual Grant to Smithers Art Galle	0	0	0	0	8.861
612220	Monthly Grant	110.541	324.914	324.914	0	1,299.654
612240	Annual Contract VBL Info Center	0	0	0	0	107.792
612241	Annual Grant VBL for EDO	0	0	0	0	66.500
612250	Annual Contract VBL Rural Fire	0	0	0	0	586.859
612260	Other Grant Expenditures	0	0	25.000	25.000	100.000
612290	Buy In Fee/ Household	0	0	0	0	1.356
612301	Federal Gas Tax Expenditures - U	0	50.619	175.000	124.381	700.000
612801	Special Projects	389	421	97.315	96.894	389.258
612803	First Nations Dialogue	0	0	2.500	2.500	10.000
612805	Stage 1 Review of SWMP	0	0	0	0	50.000
612807	Carbon Emissions Reduction Initiat	0	0	24.375	24.375	97.500
617501	PSAP/RCMP COSTS	0	0	0	0	52.611
617502	FOCC Operating Costs	0	0	0	0	149.735
617504	CAD/RMS Licence	0	0	0	0	2.575
621208	Costs Allocated to Rural Fire Dept	0	0	0	0	(31.423)
622001	Allocated Building Occupancy Cost	0	0	0	0	(2)
624002	Allocated Computer Network Costs	0	0	0	0	(1)
624012	Allocated Website Mtce & Upgrade	600	600	0	(600)	36
629002	Allocated Central Supplies Cost	0	0	0	0	(1)
770100	A.P.C. - General	0	145	375	230	1.500
779999	Miscellaneous Expense	6.400	6.400	17.000	10.600	44.800
760001	Capital Expenditures	60.832	60.832	99.882	39.050	1,111.017
780101	Amortization Expense	0	0	0	0	1,019.585
781001	Contribute to Capital Reserve	0	0	0	0	493.329
781003	Contribute to Vehicle Reserve	0	30.000	0	(30.000)	72.002
781004	Contribute to Insurance Res.	0	0	0	0	10.373
781005	Contribute to Election Reserve	0	0	0	0	7.500
781006	Contribution to repairs & maint res	0	15.000	0	(15.000)	0
781009	Contribute to Equipment Res.	0	0	0	0	16.250
781010	Contribute to Closure Reserve	0	0	0	0	75.000
781011	Contr.to Landfill Cell Dev.Res	0	0	0	0	135.000
781099	Contribute to Gas Tax Reserve	0	0	0	0	838.699
782001	Interest & Bank Charges	1.033	1.243	2.750	1.507	11.000
783001	Debenture Interest - MFA	184	390	2.548	2.159	324.454
783002	Short Term Financing Interest	1.275	2.711	3.558	847	14.233
784001	Debenture Principal - MFA	0	0	2.512	2.512	399.362
784002	Repayment of Interim Financing	25.329	50.498	76.254	25.757	305.017
785001	Debenture Issue Costs	0	0	0	0	317
785002	Debenture Refund	0	0	25.000	25.000	100.000
799999	Prior Year's Deficit	0	50.938	50.939	1	50.939
Total Expenses		\$704,510	\$2,167,245	\$3,309,224	\$1,141,979	\$18,702,569
Net Income		(\$443,976)	\$785,712	(\$183,348)	\$969,080	\$6



Regional District of Bulkley-Nechako

Departmental Expenses - Budget Variance

For the Month Ended March 31, 2017

		YTD Expenses	YTD Expense Budget	Budget Variance Fav (Unfav)
Region Wide Services				
Dept	Description			
1201	General Government - Legislative	88,710	119,755	31,045
1202	General Government - Administration	165,584	269,332	103,748
1203	General Government - Finance	101,118	130,687	29,569
1301	Feasibility Studies	0	375	375
2500	Economic Development	1,319	2,298	979
4301	Development Services	84,577	208,044	123,467
5000	Environmental Services	813,776	1,106,891	293,115
7501	911 Service	19,560	32,737	13,177
Sub-total		\$1,274,644	\$1,870,119	\$595,475
Rural Services				
Dept	Description			
1101	Rural Government - Legislative	42,768	61,936	19,168
1102	Rural Government - Administration	58,593	202,763	144,170
1103	Grant In Aid	21,950	84,295	62,345
4101	Electoral Area Planning	52,339	69,412	17,073
4401	Building Numbering	1,793	2,795	1,002
4501	Unsightly Premises Regulatory Control	3,450	12,820	9,370
5901	Invasive Plant Control	2,157	5,230	3,073
7601	Emergency Preparedness Planning	14,715	40,495	25,780
7602	Eoc Expenditures	3,959	78,652	74,693
7603	Rural Fire Department Administration	21,445	23,683	2,238
Sub-total		\$223,169	\$582,081	\$358,912
Totals		\$1,497,813	\$2,452,200	\$954,387

Regional District of Bulkley-Nechako
Capital Reserves

As at:

March 31, 2017

Administration/Planning/Emerg Preparedness Vehicle	73,657
Administration Building	61,865
Administration Equipment	31,565
Building Inspection Vehicle	3,181
Env Services Vehicle Vehicle	80,678
Insurance	11,785
Landfill Closure & Post Closure	112,997
Landfill Phase Development	362,027
Map Plotter	36,697
Weed Vehicle	5,720
Houston Rural Fire Protection Equipment	14,002
Burns Lake Rural Fire Protection Equipment	49
Fort St. James Rural Fire Protection Equipment	70,450
Fort Fraser Rural Fire Protection Equipment	82,808
Telkwa Rural Fire Protection Equipment	32,216
Vanderhoof Rural Fire Protection Equipment	36,041
Southside Rural Fire Protection Equipment	101,913
Smithers Rural Fire Protection Equipment	118,525
Luck Bay Rural Fire Protection Equipment	9,235
Lakes District Airport Capital	7,408
Burns Lake Arena	3,697
Glacier Gulch Equipment	2,234
Bulkley Valley Pool Capital	838,893
Emergency Services Capital	42,246
911 Service	450,350
Fort Fraser Sewer Capital	132,480
Fort Fraser Water Capital	460,981
Rural Elections	46,141
Southside Rural Fire Protection - Repairs & Maintenance	15,037
Federal Gax Tax	3,816,743
	<hr/> <hr/>
	7,061,619

Regional District of Bulkley-Nechako
Outstanding Debt
As at March 31, 2017

	<u>Originally Borrowed</u>		<u>Year of Maturity</u>	<u>Interest Rate</u>		<u>Balance Outstanding</u>
	<u>Year</u>	<u>Issue</u>		<u>Amount</u>		
Environmental Services	2008	103	677,000	2018	4.65% Fixed	157,428
	2010	112	729,517	2020	3.73% Fixed	326,483
	2015	Loan	1,547,000	2020	1.38% Floating	1,095,829
			<u>2,953,517</u>			<u>1,579,741</u>
Burns Lake Arena	1999	71	200,000	2019	6.20% Fixed	43,085
			<u>200,000</u>			<u>43,085</u>
Luck Bay Rural Fire Protection	2006	97	125,000	2026	4.67% Fixed	74,602
	2010	112	10,000	2030	3.73% Fixed	7,773
			<u>135,000</u>			<u>82,374</u>
Fort Fraser Rural Fire Protection	2004	81	147,140	2019	5.30% Fixed	38,604
Topley Rural Fire Protection	2016	139	366,348	2041		366,348
Baker Airport	2016		167,625	2021	1.41% Floating	167,625
			<u>3,969,630</u>			<u>2,277,777</u>

wendy.wainwright

To: Melany Deweerdt
Subject: RE: Survey of Local Government Elected Officials on Responsible Conduct

From: Sasha Prynne [mailto:sprynne@ubcm.ca]
Sent: April 6, 2017 3:40 PM
Subject: Survey of Local Government Elected Officials on Responsible Conduct

Attention: CAOs (cc: CCOs)

Re: Survey of Local Government Elected Officials on Responsible Conduct

Please convey the following survey to Council and Board members:

Survey Link: <https://form.surveypal.net/Responsible-Conduct>
Password: WLXggHnc

The Working Group on Responsible Conduct is a joint initiative of the Union of British Columbia Municipalities (UBCM), the Ministry of Community, Sport and Cultural Development (the Ministry) and the Local Government Management Association (LGMA). Last week we conveyed a Consultation Paper prepared by the Working Group. UBCM will be delivering presentations on the Consultation Paper at the 2017 Area Association meetings.

This survey seeks the input of BC local government elected officials on matters related to responsible conduct. Responses may be submitted until **May 19, 2017**.

LGMA is also undertaking a parallel process to seek the views of its members, through member consultations and a survey. Feedback received during both UBCM and LGMA consultations, along the findings of both surveys, will be provided to the working group to inform its further policy work.

The UBCM Executive has made a commitment to draft recommendations and bring these before delegates at the 2017 Convention in September. These recommendations will be informed by both the work of the Working Group and the results of the consultation.

If you have any questions about the survey or this initiative, please contact Paul Taylor, UBCM Director of Communications (ptaylor@ubcm.ca; 250-893-8476).

With thanks, and best regards
Sasha

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Sasha Pryn

Office Coordinator

Union of BC Municipalities

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Working Group on Responsible Conduct

Background

The Working Group on Responsible Conduct is a joint initiative of the Union of BC Municipalities (UBCM), the Ministry of Community Sport and Cultural Development (the Ministry) and the Local Government Management Association (LGMA).

The staff-level Working Group was formed to undertake policy work in response to a 2016 resolution to UBCM that addressed the issue of questionable conduct by local government elected officials. Delegates referred the matter to UBCM Executive, with the direction that further policy work should be undertaken jointly with the Ministry and LGMA. At its November 2016 meeting, UBCM Executive approved a Terms of Reference for a joint Working Group.

Policy Development Process

The Working Group began meeting late in 2016. The initial focus of its work has been to develop a shared understanding of the issue and to consider how the current parts of BC's local government framework support responsible conduct. The Working Group has also explored approaches that other Canadian provinces are taking to support and strengthen responsible conduct. The Consultation Paper that has been prepared by the Working Group reflects this research and is offered to the local government community to provide a basis for discussion.

UBCM will be delivering presentations on the Consultation Paper at the 2017 Area Association meetings. Local government elected officials and senior management will be surveyed by UBCM and LGMA, respectively. Feedback received during the consultations, along with the findings of the survey, will be provided to the working group.

UBCM Executive has made a commitment to draft recommendations and bring these before delegates at the 2017 Convention in September. These recommendations will be informed by both the work of the working group and the results of the consultation.

Consultation Paper

Responsible Conduct of Local Government Elected Officials [PDF - 887 KB]

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**RESPONSIBLE CONDUCT OF
LOCAL GOVERNMENT ELECTED OFFICIALS**

Working Group on Responsible Conduct

Consultation Paper

March 2017

The Working Group on Responsible Conduct is a joint initiative by the Union of B.C. Municipalities; the Local Government Management Association; and the Ministry of Community, Sport and Cultural Development. The staff-level Working Group was created in Fall 2016 to undertake collaborative research and policy work on the issue of responsible conduct of local government elected officials.

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1. INTRODUCTION

Responsible conduct broadly refers to how local government elected officials conduct themselves with their colleagues, with staff, and with the public.

Responsible conduct is grounded in conducting oneself with honesty and integrity and in a way that furthers a local government's ability to provide good governance.

What does responsible conduct mean?

Local government elected officials have authority to make decisions that affect the daily lives of citizens, families, businesses and others and help shape the long-term vision for their community as a whole. *Responsible conduct* broadly refers to how local government elected officials conduct themselves with their elected official colleagues, with staff, and with the public – three key groups that play a significant role in helping elected officials carry out their responsibilities as decision-makers in their communities. *Responsible conduct* is grounded in conducting oneself with honesty and integrity and in a way that furthers a local government's ability to provide good governance to their community (e.g. governing in a way that is transparent, ethical, accountable, respectful of the rule of law, collaborative, effective and efficient).

If a local government faces issues related to responsible conduct among its elected decision-makers, it can affect the local government's ability to provide good local governance. These issues can include disputes among local government elected officials on municipal council and regional district boards, inappropriate behaviour towards staff, questionable behaviour at council/board meetings or in interactions with the public, conflict of interest violations, and alleged breaches of other procedures/rules such as open meetings and duty to respect confidentiality.

Integrity

Honesty



RESPONSIBLE CONDUCT



Furthers government based on good governance principles:

- *Transparent*
- *Ethical*
- *Accountable*
- *Respectful of the rule of law*
- *Collaborative*
- *Effective*
- *Efficient*

What is the Working Group on Responsible Conduct?

Generally, local government elected officials effectively carry out their responsibilities as decision-makers and work well with each other, with local government staff and with the public to carry out governance functions. However, several high-profile incidents involving the conduct of local government elected officials have led to growing debate and interest across Canada (including B.C.) about the issue of responsible conduct of local government elected officials.

At the 2016 Union of B.C. Municipalities Convention, a resolution related to responsible conduct (specifically about municipal Integrity Commissioners) was referred for further exploration. As a result, staff of the Union of B.C. Municipalities (UBCM), the Local Government Management Association (LGMA), and the Ministry of Community, Sport and Cultural Development (the Ministry) formed a Working Group on Responsible Conduct (WGRC) that has been undertaking collaborative research and policy work to explore issues related to responsible conduct more broadly. The aim of the WGRC's work is to gain a more complete understanding of the background to this issue, and of the benefits and challenges of various approaches to furthering responsible conduct as they support the collective goal of an effective local government system.

What is the purpose of this consultation paper?

The main purpose of this paper is to provide an overview of the tools that are used in B.C. and other Canadian jurisdictions to support and further responsible conduct of local government elected officials that help to ensure local governments can provide effective governance to their communities. The paper is based on research that has been undertaken by the WGRC and is intended to:

- provide an opportunity to consider B.C.'s responsible conduct framework in contrast with the best of what tools other provinces have in place or are exploring;
- flag emerging trends; and
- create a basis for discussion on how these trends may or may not be of value to B.C.'s local government system.

As such, this paper:

- provides a description and analysis of the issue;
- provides an overview of B.C.'s current responsible conduct framework and tools that support responsible conduct of local government elected officials in B.C.;
- provides an overview of some tools of interest that support responsible conduct of local government elected officials in other Canadian jurisdictions; and
- analyzes emerging trends from the research.

The Working Group on Responsible Conduct consists of staff from:

- ***the Union of B.C. Municipalities;***
- ***the Local Government Management Association; and***
- ***the Ministry of Community, Sport and Cultural Development.***

The main purpose of this paper is to provide an overview of tools used in B.C. and other Canadian jurisdictions to support and further responsible conduct and flag emerging trends from the research to create a basis for discussion on how these trends may/ may not be of value to B.C.'s local government system.

2. ISSUE SUMMARY

What is the issue?

There have been some concerns raised about whether there has been a diminishment of responsible conduct in B.C.'s local government system. This is an important concern because local government elected officials can be more effective in providing good governance to their communities if they engage in responsible conduct.¹

Generally, how elected officials conduct themselves with each other, with local government staff, and with the public can impact a local government body's ability to provide good local governance. Good governance includes:

- providing for the stewardship of a community's public assets;
- providing services, laws, and other matters for community benefit; and
- acting in a way that is accountable, transparent, ethical, respectful of the rule of law, collaborative, effective and efficient.

In addition, good governance principles ensure that participation and perspectives from the public and stakeholders are taken into account when making decisions.

What factors provide a foundation for responsible conduct in B.C.?

Both written rules (such as rules established in legislation) and unwritten rules or conventions provide a foundation for responsible conduct of local government elected officials in B.C.

WRITTEN RULES

One important factor that provides a foundation for the responsible conduct of local government elected officials and good governance in communities is the set of written rules that are established in legislation, bylaws, and created by the courts. For example, the *Community Charter* establishes the responsibilities of councillors and mayors. In addition, local government legislation sets out rules for local government elected officials such as conflict of interest disclosure process, attendance at meetings, and the duty to respect confidentiality of certain records and information. Local government policies and bylaws, such as procedure bylaws, also constitute written rules that set out further requirements and standards to ensure a local government operates effectively and efficiently.

UNWRITTEN RULES

The set of unwritten rules, or norms, that typically provide a foundation for how local government elected officials conduct themselves with their colleagues, with local government staff, and with the public are also important in helping local government bodies provide good governance in their communities. These norms may sometimes be seen as the shared understanding of how things should be done that fills the space between the written rules and guides day-to-day behaviour. These norms include:

- conduct of local government elected officials is grounded in respect and honesty;
- the public (or collective) interest is more important than personal interests;

Continued on next page...

¹One of the purposes of a local government set out in the *Community Charter* and *Local Government Act* is to provide for the good government of its community.

WRITTEN RULES

Local government elected officials must also follow rules established in other legislation and legal frameworks, such as: the *Freedom of Information and Protection of Privacy Act* (which has the objective of making public bodies accountable to the public and protecting personal privacy); WorkSafe B.C. rules (which aim to ensure a healthy and safe work environment for local government staff); and the *Criminal Code* (which penalizes extreme behaviours, such as breach of trust). Further, court rulings may create, interpret, expand and apply legal rules (e.g. conflict of interest) thereby setting additional parameters and providing guidance for decision-making.

UNWRITTEN RULES

- local government elected officials take into account the implications of options and various perspectives when making decisions for communities;
- council discourse, public discussions and other aspects of democratic processes are carried out civilly and respectfully; and
- the differing roles and responsibilities of local government elected officials and local government staff are clearly understood by all participants.

The institutional culture of a local government can also have impacts on responsible conduct and the ability of local government bodies to provide effective local governance. For example, a local government that has a strong ethical foundation as part of its culture would be more likely to facilitate elected officials engaging in responsible conduct.

What pressures are impacting these factors?

A variety of pressures appear to be impacting these factors, especially the unwritten rules and conventions. These pressures can result in unclear and shifting rules and a weaker foundation upon which to support and further responsible conduct and good governance in communities.

Key pressures include:

- ***Pervasiveness of technology and social media:*** While technology and social media have resulted in some positive outcomes (e.g. increased access to information for the public and elected officials), they can also put pressure on local government elected officials to react quickly to issues that have a social media platform and potentially turn the focus away from other significant issues. "24/7" attention can be wearing. In addition, the norms for social media communication vary considerably from the norms for communication in other social spaces (e.g. conversations that take place in the workplace or during meetings). Statements that may not be based on verified facts and discourse that appears to be inappropriate or offensive can "go viral" at great speed. Elected officials may find themselves defending their actions against anonymous critics or actually becoming actively engaged in this often uncontrolled discourse. This type of social media use can put pressure on local government elected officials and may result in challenges in retaining council and board members (as elected officials ask themselves whether that type of public scrutiny is "worth it").

Key pressures that appear to be impacting unwritten rules and conventions that provide a foundation for responsible conduct are:

- **Pervasiveness of technology and social media;**
- **Challenges of ensuring responsible conduct and providing good governance in a 'post-truth' environment;**
- **Loss of knowledge and continuity on local government bodies and staff; and**
- **Lack of shared understanding/agreement of what the unwritten rules or conventions should be for elected officials.**

- **'Post-truth' era:** Another pressure is the challenge of ensuring responsible conduct and providing good governance in a time that has been increasingly described as a 'post-truth' era "in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief".² This approach may lead to greater public interest and attention; however, a significant impact of operating in a 'post-truth' environment is that it can be more difficult for groups of people to find common ground and to agree on the facts that are necessary to make effective decisions for communities.
- **Loss of knowledge and continuity:** Individuals who are new to local government, whether they are elected officials or staff members, are vital to democracy and can positively impact a community by bringing new ideas and approaches to solving issues. However, there can also be challenges associated with rapid or continuous turn-over on local government bodies and staff, which can include a loss of knowledge and continuity and fewer individuals who can provide expert guidance to local government colleagues in navigating challenging situations.
- **Lack of shared understanding:** As technology and other social changes take place (e.g. demographic changes), there may be a shift in the conventional rules or norms that have typically provided a foundation for responsible conduct and good governance. This can result in a loss or lack of shared understanding in what the unwritten rules are, or should be (e.g. what behaviour is expected of local government elected officials); this may lead to challenges in finding common ground upon which to build a foundation for developing and maintaining relationships among elected officials, with staff, and with the public.

²Oxford Dictionaries defines "post-truth" as "[r]elating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief" ("Post-truth", Oxford Living Dictionaries, <https://en.oxforddictionaries.com/definition/post-truth>).

Why does the issue matter?

An environment that is characterized by unclear and shifting rules can result in issues related to responsible conduct, such as:

- disrespectful use of social media;
- disruptive meetings;
- procedural bylaw violations; and
- disrespectful behaviour towards fellow local government elected officials, staff, and members of the public.

This type of conduct can negatively impact a local government by resulting in strained relationships, decreased credibility and the inability of a local government to function effectively and fulfill its legislative requirements. These impacts may also further undermine sustaining a shared commitment to responsible conduct, which affects a local government's ability to govern according to good governance principles. It may also affect the ability to attract new candidates or retain those currently elected to local government office.

When issues related to responsible conduct negatively impact a local government, communities may also face additional challenges, including lower voter turnout due to voter apathy, businesses that may choose to settle in more stable communities, and the inability of a local government to hire and retain good staff. It is important to note that different types of behaviour can have different impacts on communities. For example, an issue that seems small can escalate into a larger issue that results in the chronic disruption of meetings and decision-making. These chronic disruptions can, in turn, lead to more pressure for written rules to be established, which may result in greater certainty but also in a less flexible basis for relations among local government elected officials, with staff and with the public.

An environment characterized by unclear and shifting rules can result in issues related to responsible conduct (such as disrespectful use of social media and disruptive meetings) and these issues can negatively impact a local government.

It is important for local governments to have a shared commitment to responsible conduct to ensure the local government's ability to govern according to good governance principles.

3. B.C.'S CURRENT RESPONSIBLE CONDUCT FRAMEWORK

Understanding B.C.'s responsible conduct framework

In light of the pressures and challenges that are impacting the conventions and unwritten rules that have typically guided the conduct of local government elected officials, it is important to understand B.C.'s current foundation for responsible conduct and the tools available in B.C. and other Canadian jurisdictions to address related issues. It is also helpful to identify trends in approaches to responsible conduct to ensure local government bodies can effectively provide good local governance.

a) What are the components of B.C.'s responsible conduct framework?

B.C.'s local government framework consists of a variety of components that provide a foundation for responsible conduct, including access to advice, education and training for local government elected officials and staff; and the legislative framework. The legislative framework includes local government legislation (e.g. *Community Charter*; *Local Government Act*), other pieces of legislation to which local governments and elected officials must adhere (e.g. *Workers Compensation Act*; *Freedom of Information and Protection of Privacy Act*), and statutory Offices.

As a whole, these components of B.C.'s responsible conduct system are meant to provide support and guidance for local government elected officials and ensure that elected officials can govern effectively and according to good governance principles.

Access to education, advice and training: B.C. has a tradition of close collaboration among the "partner" organizations that support the local government system (e.g. UBCM; LGMA; the Ministry) when it comes to advice, education and training for elected officials and staff, including topics related to responsible conduct. Education opportunities ranging from written guides to interactive workshops are provided by these organizations, sometimes separately but often collectively. Such collaboration among these organizations and others led to the establishment of the Local Government Leadership Academy (LGLA), a ground-breaking approach to education for local government and First Nation elected officials and senior staff.

Many of the sessions at LGLA forums and other important training opportunities, such as LGMA courses, are presented by peers, or by specialized consultants who work extensively, sometimes exclusively, with local governments (i.e. providing general education; being called on to provide customized sessions for a particular council or board; or being retained to advise on specific challenges facing a council or board). Representatives from Offices such as the Ombudsperson or the Auditor General for Local Government participate in education and training opportunities (such as LGLA sessions), but not in a directive role.

Components of B.C.'s local government framework include:

- ***access to advice, education and training for elected officials and staff; and***
- ***rules and requirements set out in the legislative framework.***

The courts also play an important decision-making role.

Legislation: Both local government legislation (such as the *Community Charter* and *Local Government Act*) and other pieces of legislation set out obligations of a local government itself and some of the roles and responsibilities of local government elected officials. In addition, the responsible conduct framework includes some legislated Offices that have targeted oversight functions related to local governments; however, generally, issues related to responsible conduct fall outside the mandates of these Offices.

Local government legislation:

The *Community Charter* and *Local Government Act* set out the purposes of municipalities and regional districts and include some specific obligations of the local government itself. For example, the purposes of a local government include providing for the good government of its community. In addition, local governments are required to establish procedure bylaws, which set out the general procedures and standards to be followed by councils and boards when conducting local government business.

These statutes also include requirements for elected officials to attend and participate in meetings; respect the confidentiality of records and information held in confidence by the local government; and refrain from interfering with, hindering, or obstructing local government staff in performing their duties. Elected officials are also required to abide by ethical standards (e.g. conflict of interest rules), which are designed to ensure that elected officials adhere to their duty to the public and do not use their position to pursue personal financial interests.

Other legislation:

As employers, local governments are required by the *Workers Compensation Act* to ensure the health and safety of their employees. As part of ensuring a safe workplace, local governments must also establish workplace harassment policies. As such, local governments have harassment policies that are aimed at preventing inappropriate behaviour in the workplace and prohibit different forms of harassment defined in the *Criminal Code*, *B.C. Human Rights Code*, and the *Workers Compensation Act*.

Statutory Offices:

Office of the Inspector of Municipalities (Inspector): The Inspector's work focuses primarily on the financial performance of local governments and statutory requirements, such as approval of some bylaws. Through Ministry staff, the Inspector also delivers advice, education and capacity-building tools often in collaboration with the Office's local government partners. Although the *Local Government Act* provides the Inspector with some powers to enquire into the conduct of local government business (with Cabinet approval), those extraordinary powers have rarely been used (i.e. being reserved for matters that would affect the fundamental viability of a local government or have serious consequences for the local government system).

Office of the Auditor General for Local Government (OAGLG): The purpose of the OAGLG is to conduct independent performance audits of the operations of local governments (e.g. a performance audit could investigate questions about whether a service is effective in achieving its intended results). The Office's performance audits provide objective information and advice to assist local governments in their stewardship of public assets and the achievement of value for money in their operations. The OAGLG's mandate is limited to operations of a local government (e.g. providing a service), and does not include reviewing policy decisions or objectives of a local government, or considering complaints respecting the actions of individual elected officials.

Office of the Information and Privacy Commissioner (OIPC): Local governments are subject to the *Freedom of Information and Protection of Privacy Act (FOIPPA)*, which governs how public authorities (including the provincial government, health authorities and other governmental bodies) provide access to information and protect personal information under their control. The OIPC provides independent oversight of B.C.'s information access and privacy laws as set out in FOIPPA.

Office of the Ombudsperson: Under the *Ombudsperson Act*, individuals can make complaints to the Ombudsperson regarding unfair treatment by a wide range of public authorities, including local governments (e.g. unreasonable delay, unfair policies, and arbitrary decisions). The Ombudsperson deals with complaints respecting the actions of the corporate body (e.g. the municipality) rather than those of individual elected officials.

It is also important to note that the courts play a significant role in B.C.'s responsible conduct framework, as judges would be responsible for making final decisions about matters such as a dispute between two elected officials resulting in a defamation lawsuit; a prosecution against an elected official for divulging personal information contrary to FOIPPA; a judicial review of a local government's decision based on a failure to comply with closed meeting rules; or an application by 10 electors for a disqualification declaration against an elected official for allegedly failing to disclose receipt of a gift.

b) What tools are available in B.C. to support responsible conduct and address related issues?

B.C.'s responsible conduct framework also includes a range of tools that can be used to prevent or address non-responsible conduct (see Table 1 on the next page). As previously noted, different types of conduct have different impacts on a local government. As such, the nature of the tool that is used to address a specific issue will depend on the specific circumstances. There is a range of tools, from those focused on education and expert advice to setting standards, that can be chosen to address circumstances before pursuing tools that address more serious situations.

The tools available in B.C. range from voluntary tools to more directive tools (e.g. from voluntarily establishing a code of conduct to penalties for contravening legislated ethical standards rules). Some of the tools are aimed at the collective decision-making body (e.g. the council or board) while others are for individual elected officials. They also tend to align with B.C.'s tradition of local government autonomy and focus on local government elected officials being directly accountable to their citizens, rather than through direct provincial government supervision.

Responsible Conduct Tools in B.C.

- Education and advice
- Orientations and planning processes
- Professional assistance and conflict resolution
- Policies that set standards for conduct of elected officials
- Policies that set standards for relationships between elected officials and staff
- Oath of office and procedure bylaws
- Censure
- Disqualification penalties
- Penalties for breaching statutes
- *Criminal Code* offences

Table 1: Tools to support responsible conduct and address related issues in B.C.**Education and advice****Use of Tool*****Education:***

- The education programs and advice provided by LGLA and LGMA are resources that can be voluntarily accessed by local government elected officials and local government staff to build knowledge about their roles and responsibilities and to obtain advice for navigating various situations.

Examples:

- A. LGLA offers a Certificate Program for local government elected officials, holds annual forums (including post-election training for new and returning officials) and emphasizes skill-building seminars, including seminars targeted to responsible conduct (e.g. "Roles, Responsibilities and Teamwork"; elected-elected/elected staff relations).
 - B. LGMA's TeamWorks program provides local governments with access to resources and advice in several fields (e.g. council/staff relations, change management, human resources) and access to coaching/informal advice.
- The Office of the Ombudsperson has developed a guide on best practices for open meetings.
 - Workshops on managing access to information under FOIPPA are available to elected officials (workshops are delivered by a third party in partnership with the OIPC).

Advice:

- Consultants can be hired to provide proactive tools, decision-making frameworks or orientations for a new council or board.
- Elected officials may seek legal advice about conflict of interest issues and topics.
- The Ministry provides advice regarding legislative intent to local government elected officials and staff, and points to possible resources when issues emerge respecting roles and relationships and understanding ethical standards rules. General advice is also provided on the rules related to a range of topics, such as elections (e.g. webinar for candidates).

Legislative Authority

- Voluntary
- Framework not established in legislation

Table 1: Tools to support responsible conduct and address related issues in B.C.**Orientations and planning processes****Use of Tool**

- Can be used to clarify the roles and responsibilities of local government elected officials and staff and to facilitate building effective relationships among elected officials and staff.

Legislative Authority

- Voluntary
- Framework not established in legislation

Professional assistance and conflict resolution**Use of Tool**

- Local governments may choose to seek informal advice or hire a consultant to work with the council/board to facilitate solutions to various issues that may arise related to responsible conduct (e.g. targeted workshop on appropriate behaviour, relationship-building and clarifying roles and responsibilities).
- Where there has been a triggering event (e.g. loss of council quorum), the Ministry (Inspector) may suggest expectations of behaviour and sources of professional assistance.

Legislative Authority

- Voluntary
- Framework not established in legislation

Policies that set standards for conduct of elected officials**Use of Tool**

- Several B.C. local governments have adopted codes of conduct for elected officials.³ Developing a code of conduct can be used to establish a shared set of expectations for how elected officials should conduct themselves while carrying out their duties.
- Some local governments (e.g. Vancouver, Whistler) provide for an independent third party to consider alleged code of conduct breaches, which may include recommendations for resolving the situation.
- The involvement of local government elected officials in the development and implementation of the code of conduct, regular reviews of the code and processes for enforcing the code can be key parts of effectively utilizing this tool.

Legislative Authority

- Voluntary
- Framework not established in legislation

Policies that set standards for relationships between elected officials and staff**Use of Tool**

- Local government bodies may establish policies that are additional to those required under the *Worker's Compensation Act* to clarify the roles and responsibilities of elected officials and staff and to establish further guidelines for these relationships.

Example: Resort Municipality of Whistler includes guidelines for elected official/staff relationships in their "Council Governance Manual" (which also includes the code of conduct for elected officials).

Legislative Authority

- Voluntary
- Framework not established in legislation

³Examples of B.C. local governments that have adopted codes of conduct include Comox Valley Regional District, Vancouver, West Kelowna and Whistler.

Table 1: Tools to support responsible conduct and address related issues in B.C.**Oath of office and procedure bylaws****Use of Tool**

- The *Community Charter* requires local government elected officials to make an oath or solemn affirmation of office upon being elected and also requires local governments to establish procedure bylaws. These tools may be used to reinforce standards and set expectations of conduct (e.g. a local government can customize its oath of office to include value-based language in relation to conduct; procedure bylaw can address expectations of behavior at meetings).

Legislative Authority

- Legislative requirement

Censure**Use of Tool**

- Censure is a common law concept that may be used by a local government body that wishes to distance itself from a particular elected official due to that official's unacceptable conduct (e.g. bullying; rude comments; disrespectful behaviour).
- It is important for a local government body to establish a clear policy that includes satisfactory procedural fairness measures, such as an individual's right to respond to allegations, to ensure the motion does not fail on a procedural basis.

Legislative Authority

- Voluntary
- Common law tool, but framework not established in legislation

Disqualification penalties**Use of Tool**

- The *Community Charter* establishes serious penalties for breaching some rules related to responsible conduct and good governance. For example, a local government elected official who breaches the following rules can be declared disqualified (through a court process) from holding office:
 - ◊ contravening conflict of interest rules and other ethical standards;
 - ◊ failing to make the oath of office within the specified time;
 - ◊ having an unexcused absence from meetings for a specified period; or
 - ◊ authorizing the use of money contrary to local government legislation.
- Disqualification is considered a serious penalty and instances of disqualification are rare.

Legislative Authority

- Framework established in legislation

Table 1: Tools to support responsible conduct and address related issues in B.C.**Penalties for breaching statutes****Use of Tool**

- Breaching rules established in legislation may result in an offence prosecution. For example, breaching a local government statute may be prosecuted under the *Offence Act* with penalties being a fine, imprisonment, or both.
- Contravening rules set out in FOIPPA can result in an offence prosecution under that Act.
- As a corporate entity, a local government may be subject to administrative penalties and offence prosecutions under the *Workers Compensation Act*.

Legislative Authority

- Framework established in legislation

Criminal Code offences**Use of Tool**

- There are specific offences under the federal Criminal Code that deal with criminal behaviour beyond the scope of local government legislation. For example, it is an offence:
 - ◊ for a public officer to commit a fraud or breach of trust in connection with the duties of his/her office; and
 - ◊ for a municipal official to accept any form of consideration in order to vote in (or abstain from voting in) a certain manner, to influence the adoption of a resolution or motion, or to perform or fail to perform an official act.
- If found guilty, penalties can include fines and imprisonment for up to 5 years.

Legislative Authority

- Framework established in legislation

4. TOOLS TO SUPPORT RESPONSIBLE CONDUCT IN OTHER CANADIAN JURISDICTIONS

a) What are some tools used by other Canadian jurisdictions to support responsible conduct and address related issues?

The responsible conduct frameworks in other Canadian jurisdictions have similar components to B.C.'s framework, such as some form of ethical standards (e.g. legislated conflict of interest rules) and rules around protecting personal information. Other provinces and territories may, however, operate in a different context and with different traditions (for example, Québec's framework emphasizes more direct provincial involvement than would be traditional in B.C.). This section is based on research undertaken by the WGRC and provides an overview of some tools of interest that are used to further responsible conduct across Canada that may be different than those components already part of B.C.'s framework.⁴ Please see Appendix A for a table that provides an overview of these tools in comparison to tools available in B.C.

Additional Responsible Conduct Tools in Other Canadian Jurisdictions

- Peer-based advice and mediation programs
- Mandatory education
- Legislated code of conduct
- Mandatory policies that set standards for relationships between elected officials and staff
- Integrity Commissioner
- Spectrum of penalties

See next page for Table 2, which provides an overview of some tools of interest in other Canadian jurisdictions that can be used to support responsible conduct and address related issues.

⁴The research undertaken by the WGRC captures some tools of interest available at a particular point in time and may not reflect proposed legislative amendments or other tools adopted after early March 2017.

Table 2: Tools to support responsible conduct and address related issues across Canada**Peer-based advice and mediation programs****Use of Tool**

- Formal peer-based programs have been established in New Brunswick and Alberta.
- These programs can be accessed by local government officials and staff who are in need of advice or mentorship that draws on shared experiences of peers who have/had similar roles or who have experienced similar issues and conflicts. The programs may be focused on individual elected officials or a whole decision-making body.

Examples:

- A. New Brunswick's Conflict Resolution Committee consists of members of the Union of Municipalities of New Brunswick and the Association of Municipal Administrators of New Brunswick and provides a "first step" in assisting municipalities that are experiencing challenging relationships. Municipalities that request mediation are assigned a team that leads the municipality through the mediation process by assisting the municipality in identifying challenges so the parties can reach agreement on how these challenges may be solved.⁵
- B. Alberta's Peer Network for Municipal Dispute Resolution is a network of peer mentors whom council members can contact to obtain free, confidential advice and conflict resolution and assistance on local issues. Mentors, available to council members and senior administrators in Alberta, can share their experience and wisdom with municipal leaders requesting advice.⁶

Legislative Authority

- Voluntary
- Framework not established in legislation

Mandatory education**Use of Tool**

- Local government legislation in Québec requires elected officials to participate in a professional development program on municipal ethics and good conduct if they have not previously participated. Legislation in Alberta requires municipalities to offer an orientation training program for newly elected officials (as of July 2017).
- Québec: A councillor who has not already done so must participate in a professional development program on municipal ethics and good conduct within 6 months of the start of his/her term. The council member must report their participation to the municipality within 30 days after participating in the program. Non-participation could become an aggravating factor if sanctions are being considered by the Commission municipale du Québec for violating the municipality's "code of ethics and conduct".

Legislative Authority

- Legislative requirement

⁵Conflict Resolution Committee," The Association of Municipal Administrators of New Brunswick, <http://www.amanb-aamnbc.ca/Conflict-Resolution>

⁶"Look to your peers for help," The Peer Network for Municipal Dispute Resolution, <http://www.peenetwork.ca/index.php/look-to-your-peers>

Table 2: Tools to support responsible conduct and address related issues across Canada**Mandatory education continued**

- Alberta: As of July 2017, municipalities must offer orientation training to be held within 90 days after each councillor takes the oath of office. Legislation sets out the range of topics that must be addressed (e.g. role of municipalities in Alberta; roles and responsibilities of elected officials and administrative staff; public participation; municipality's code of conduct). No specific requirement or consequence for elected officials for failing to participate in or complete the orientation program, but municipalities could address this issue in code of conduct bylaws.

Legislated code of conduct**Use of Tool**

- Used to set shared expectations for standards of conduct.
- Establishing codes of conduct (also known as a "code of ethics") is mandatory in Alberta,⁷ Saskatchewan, Manitoba, Québec, and Prince Edward Island.⁸
- In Ontario, legislation currently enables municipalities to establish a code of conduct if they wish to do so,⁹ with the exception of the City of Toronto, which is required to establish a code of conduct. Legislation in the Northwest Territories also enables local governments to establish codes of conduct.

Legislative Authority

- Framework established in legislation
- Legislative requirement in several jurisdictions

Mandatory policies that set standards for relationships between elected officials and staff**Use of Tool**

- Legislative amendments proposed in Ontario (November 2016) would require local governments to adopt policies respecting the relationship between council members and officers and employees of the municipality.¹⁰
- Other jurisdictions explicitly require codes of conduct to include standards and/or values in their dealings with municipal employees (e.g. Saskatchewan, Manitoba, Québec).

Legislative Authority

- Legislative requirement

⁷Legislative requirements will be effective in Alberta once regulations are developed (anticipated to be Fall 2017).

⁸Legislation that requires councils to establish a code of conduct was passed in December 2016. These amendments are not yet in force.

⁹Legislative amendments that would require local government elected officials to adopt a code of conduct were proposed in November 2016. See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill

¹⁰See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill

Table 2: Tools to support responsible conduct and address related issues across Canada**Integrity Commissioner****Use of Tool**

- Only Ontario legislatively enables a municipality to appoint an Integrity Commissioner (and the City of Toronto must appoint an Integrity Commissioner); in Québec, an independent body at the provincial level carries out similar functions.
- An Integrity Commissioner typically has one or more of the following functions:
 - ◊ enforcing a local government's code of conduct by investigating alleged breaches of the code and recommending sanctions to council, if appropriate;
 - ◊ advising individual local government elected officials on how to meet standards of conduct; and
 - ◊ educating local government elected officials on issues of ethics, integrity, and personal conduct.

Note: Council typically decides whether to impose any sanctions recommended by an Integrity Commissioner. In Québec, the provincial body determines and imposes legislated sanctions.

- Legislative amendments proposed in Ontario (November 2016) would establish that if a municipality does not have an Integrity Commissioner, or if its Integrity Commissioner does not perform all of the statutory functions, the municipality must make arrangements for those responsibilities to be provided by an Integrity Commissioner of another municipality.¹¹
- Some cities have voluntarily appointed an Integrity Commissioner: The City of Calgary has appointed two positions — an Integrity Commissioner and an Ethics Advisor; the City of Regina anticipates appointing an Integrity Commissioner; the City of Winnipeg recently appointed an Integrity Commissioner. The roles/responsibilities of an Integrity Commissioner are not established in legislation in these provinces.

Legislative Authority

- Typically tied to legislative frameworks that require or enable local governments to establish a code of conduct
- Framework may be established in legislation
- May be a legislative requirement

Spectrum of penalties**Use of Tool**

- Some jurisdictions have implemented, or are considering, penalties other than disqualification for elected officials who have breached a code of conduct or contravened conflict of interest rules.
- *Code of conduct:*
 - ◊ Penalties for contravening a code of conduct in Ontario include reprimand and suspension of remuneration for up to 90 days. If the Integrity Commissioner reports that an elected official has contravened the code, council may choose to impose a penalty.
 - ◊ In Manitoba and the Northwest Territories, legislation establishes that a local government elected official may be censured for contravening the code of conduct.
 - ◊ In Québec, the minister plays a role in deciding whether an alleged breach of the code of conduct should proceed to inquiry; inquiries can then lead to imposition of sanctions (if appropriate), which include a reprimand, restitution, and suspension for up to 90 days.

Legislative Authority

- Framework established in legislation

¹¹See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill

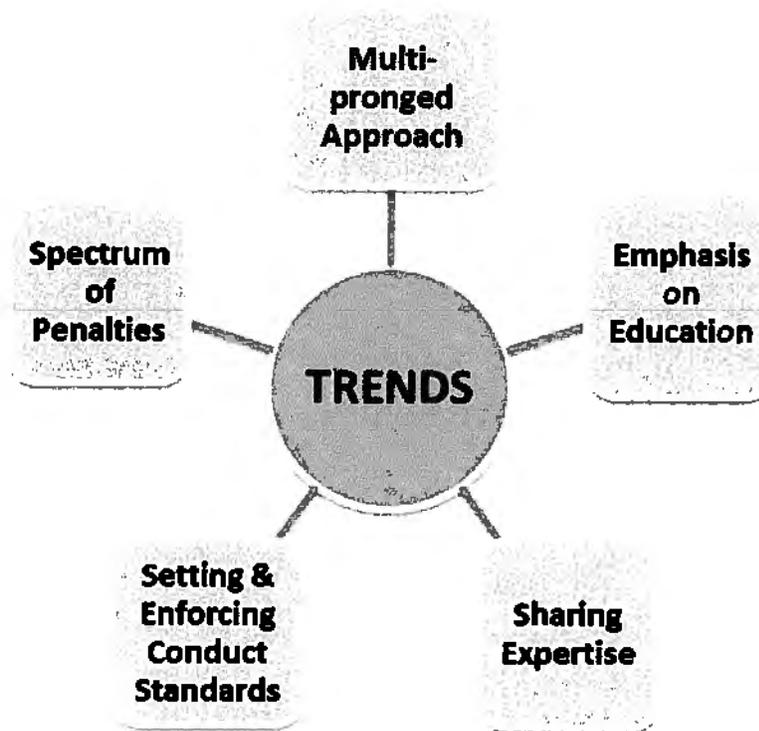
Table 2: Tools to support responsible conduct and address related issues across Canada**Spectrum of penalties continued**

- **Conflict of interest rules:**
 - ◊ In November 2016, Ontario introduced amendments to its *Municipal Conflict of Interest Act* (MCIA) that, if passed, would replace the narrow scope of penalties for contraventions of the MCIA with a broader range of penalties.¹² Proposed penalties include reprimand and suspension of remuneration for up to 90 days.
 - ◊ There is interest in Manitoba about the concept of a range of penalties for conflict of interest violations as recommended by the Manitoba Law Reform Commission. Recommended penalties include a suspension of the elected officials (up to 90 days), a \$5,000 fine, an order of restitution, and removal from office (ultimate sanction for the most serious offences).
- **Other:**
 - ◊ In Québec, a council member may be declared “provisionally incapable to perform any duty of office” if that council member is facing charges for an offence that is punishable by 2 years or more.

¹²Other new proposed provisions under MCIA relate to the requirement for written disclosure of interest, dealing with influence, and a requirement for municipalities to create a registry that tracks all registered conflicts of interest. Proposed legislative amendments also add principles to the duties of elected officials in relation to conflict of interest rules (e.g. council members are expected to perform their duties with *integrity* and *impartiality*). See Legislative Assembly of Ontario, Bill 68: An Act to amend various Acts in relation to municipalities, http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4374&detailPage=bills_detail_the_bill

b) What trends have emerged from the research on responsible conduct tools?

The following diagram highlights the trends that emerge from reviewing the tools implemented by other Canadian jurisdictions. A discussion of each trend follows the diagram.



Multi-pronged Approach:

- It appears that a multi-pronged approach that provides a spectrum of tools to address various circumstances and different behaviours can be an important part of a robust framework that supports responsible conduct, and, in turn, supports local governments in providing good governance to communities. Voluntary tools, including education and peer-based programs, as well as tools that are established in legislative frameworks, are all part of the approaches taken by different jurisdictions – there is no one tool that “solves” everything. The mix of tools differ from jurisdiction to jurisdiction, as do the degrees of formality, the extent to which they are mandated, who is involved in delivering them, how they are implemented and what are the consequences of non-compliance.

Emphasis on Education:

- Developing educational resources (such as programs, handbooks, and webinars) is common in jurisdictions across Canada to provide guidance and support to both local government elected officials and staff. Education is generally seen as an important part of encouraging responsible conduct. The topics of education initiatives vary, as do the form and who provides the education. As discussed, some jurisdictions have taken this approach one step further: in Québec, local government elected officials are required to participate in a professional development program, and in Alberta, municipalities are required to offer orientation training to elected officials (as of July 2017). These approaches aim to ensure individuals have a strong foundational knowledge of their roles, responsibilities, and ethical conduct from the start of their career as an elected official. However, mandating education brings into sharp focus important “who”, “what”, “how” and “when” design questions of education programs, as well as questions of consequences if individuals do not participate in the required programs, and measuring the effectiveness of education programs.

Sharing Expertise:

- Peer-based programs are also a trend, with some jurisdictions expressing this as formal peer mediation programs. In that way, local government elected officials can obtain advice and guidance from experts on a variety of topics. Considerations for developing a formal peer mediation program include recruitment of volunteers to be mentors, providing adequate training for mentors and ensuring that mentors have varied experiences to account for the wide variety of challenges that local governments may face and on which elected officials may seek advice.

Setting and Enforcing Conduct Standards:

- *Setting conduct standards:* Setting standards for conduct is a trend towards explicitly encouraging or requiring certain standards of conduct, rather than leaving assumptions about what is/is not acceptable behaviour to unwritten rules. For example, several jurisdictions require elected officials to develop a code of conduct, which provides a shared understanding of expectations and standards against which an individual’s conduct can be held accountable. Legislative frameworks often set out additional tools to administer and enforce the code of conduct and processes and sanctions if a local government elected official is found to have breached the code. Codes of conduct are generally viewed as one component of a larger responsible conduct framework, not just a stand-alone tool.
- *Enforcing conduct standards:* An important consideration for setting standards is developing processes for their enforcement. There seems to be greater interest in enforcement that has some elements of independence from the local government itself. Jurisdictions that enable or require codes of conduct take a variety of approaches, including enabling local governments to appoint an Integrity Commissioner (and potentially providing for Integrity Commissioners to be “shared” by multiple communities), implementing a centralized model centered on a provincial-level body (in Québec), and authorizing the Ombudsperson to investigate alleged breaches of the code of conduct. It is important to note, however, that the Integrity Commissioner model in Ontario still requires councils to make the final decisions (i.e. the council decides on and imposes sanctions if the Integrity Commissioner finds the code has been contravened).

Spectrum of penalties:

- Given the variety of behaviours which may be seen as a problem, there also seems to be interest in finding greater flexibility when considering the consequences for this behaviour. Therefore, another trend is exploration of a spectrum of penalties that may be applied to local government elected officials who breach rules related to responsible conduct. These approaches provide for a range of penalties for consideration beyond disqualification, which is such a serious penalty that there may sometimes be reluctance to impose it. Suspension of remuneration, censure motions, and issuing a reprimand are examples of alternative penalties that may be imposed in other provinces. At the same time, these penalties remain focused on public “calling out” of the behaviour (i.e. remedial actions such as required training are not typically part of the consequences).

5. NEXT STEPS

UBCM and LGMA will be consulting with their respective members in Spring 2017 using this paper as a basis for gathering views on the issue summary, tools used to support responsible conduct in B.C. and in other Canadian jurisdictions, and emerging trends. Consultation with local government elected officials and local government staff will consist of both in-person presentations (e.g. at area association meetings for local government elected officials and at Chapter events and LGMA’s Annual Conference for local government staff) and a survey tool. Feedback from the consultation will then be provided to the Working Group members once the consultation process is completed.

UBCM Executive has made a commitment to draft recommendations on the issue of responsible conduct and bring these before delegates at the 2017 UBCM Convention.

APPENDIX A: OVERVIEW OF TOOLS TO SUPPORT AND FURTHER RESPONSIBLE CONDUCT

The following table provides an overview of key tools used to support and further responsible conduct in other Canadian jurisdictions and notes any equivalent tools available in B.C.

Tool	Jurisdictions	Key Features	B.C. comparison
Peer-based advice and mediation programs	Alberta New Brunswick	<ul style="list-style-type: none"> • Local government elected officials and staff can seek advice and mentorship from experienced peers to help work through issues/ conflicts • Low-cost, informal, typically requires involvement of partner organizations • Framework not established in legislation 	<ul style="list-style-type: none"> • May choose to hire consultant to help facilitate solutions to challenging situations • Informal networks established among elected officials • Not established in legislative framework
Mandatory education	Alberta Québec	<ul style="list-style-type: none"> • Local government legislation in Québec <u>requires</u> elected officials to participate in a professional development program on municipal ethics and good conduct if they have not previously participated. Legislation in Alberta <u>requires</u> municipalities to offer orientation training for newly elected officials (as of July 2017). • Programs may cover various topics (e.g. role of local governments; elected official responsibilities; municipal ethics) • Legislative requirement 	<ul style="list-style-type: none"> • Voluntary access to education and training resources • Framework not established in legislation
Code of conduct	Alberta Saskatchewan Manitoba Ontario Québec Prince Edward Island Northwest Territories	<ul style="list-style-type: none"> • Sets out shared standards and expectations to guide conduct of elected officials • Suggested key components of developing a code of conduct include:¹³ <ul style="list-style-type: none"> ◊ Should be one component of a larger 'ethics' regime; ◊ Elected officials should be involved in developing the code; ◊ Effective process for dealing with complaints is important and enforcement should consider administrative fairness procedures and effective, appropriate sanctions; and ◊ Independent third party should enforce the code (e.g. Integrity Commissioner; contractor with appropriate experience; municipal solicitor). • Framework established in legislation • Legislative requirement in several jurisdictions (Ontario has proposed amendments to require code of conduct) 	<ul style="list-style-type: none"> • Voluntary • Used by a number of local governments • Framework not established in legislation

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¹³Clyde K. Wells, Q.C., "Report to St. John's City Council on Recommended Adjustments to the City's Ethical Conduct Legislation", September 28, 2015.

APPENDIX A: OVERVIEW OF TOOLS TO SUPPORT AND FURTHER RESPONSIBLE CONDUCT

Tool	Jurisdictions	Key Features	B.C. comparison
Mandatory policies that set standards for relationships between elected officials and staff	Ontario (proposed) <i>Required in code of conduct:</i> Saskatchewan Manitoba Québec	<ul style="list-style-type: none"> • Ontario recently proposed legislative amendments to require local governments to adopt policies respecting the relationship between council members and officers and employees of the municipality • Other jurisdictions explicitly require codes of conduct to include standards and/or values to which elected officials must comply in their dealings with municipal employees 	<ul style="list-style-type: none"> • Voluntary • Framework not established in legislation
Integrity Commissioner	Ontario Québec (provincial-level) City of Calgary City of Regina City of Winnipeg	<ul style="list-style-type: none"> • Legislative requirement • Main role is to administer and enforce codes of conduct • May also provide advice about meeting code of conduct requirements and education on issues related to ethics, integrity, and personal conduct • There are variations in the approach to Integrity Commissioners or other bodies that carry out similar functions. For example: <ul style="list-style-type: none"> ◊ <i>Ontario:</i> legislation enables municipalities to appoint an Integrity Commissioner (City of Toronto is <u>required</u> to appoint Integrity Commissioner) ◊ <i>Québec:</i> legislation requires Commission municipale du Québec (provincial body) to investigate alleged code of conduct breaches ◊ <i>Cities of Calgary, Regina, Winnipeg:</i> Have voluntarily appointed an Integrity Commissioner (or anticipate appointing an Integrity Commissioner) 	<ul style="list-style-type: none"> • Some local governments (e.g. Vancouver, Whistler) provide for an independent third party to consider alleged code of conduct breaches, which may include recommendations for resolving the situation • Framework not established in legislation
Spectrum of penalties (other than disqualification)	Manitoba Ontario Québec Northwest Territories	<ul style="list-style-type: none"> • Framework for Integrity Commissioner (or body that has similar functions) may or may not be established in legislation • Some jurisdictions establish penalties (other than disqualification), or have proposed/are interested in establishing penalties, in their legislation for breaching a code of conduct or conflict of interest rules. Examples of penalties include: <ul style="list-style-type: none"> ◊ Reprimand ◊ Suspension of pay for up to 90 days ◊ Censure motion (for contravening code of conduct) • Framework established in legislation 	<ul style="list-style-type: none"> • Disqualification penalties for breaching ethical standards rules • Framework for disqualification penalties established in legislation

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APPENDIX B: MEMBERS OF THE WORKING GROUP ON RESPONSIBLE CONDUCT

The Working Group on Responsible Conduct consists of the following staff/expert members from the Union of B.C. Municipalities (UBCM); the Local Government Management Association (LGMA); and the Ministry of Community, Sport and Cultural Development (the Ministry).

UBCM	LGMA	Ministry
<ul style="list-style-type: none"> • Gary MacIsaac • Brenda Gibson • Paul Taylor 	<ul style="list-style-type: none"> • Nancy Taylor • Elizabeth Brennan • Allison Habkirk 	<ul style="list-style-type: none"> • Gary Paget • Nicola Marotz • Michelle Dann • Lesley Scowcroft

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Communiqué

Nominations to FCM's Board of Directors

FCM's 2017 Board of Directors election nomination period will close on May 17. If you are interested in running for election to FCM's Board of Directors, please [visit FCM's website](#).

For more information, contact [Julie Hayes](#), Assistant to the Chief Elections Officer, at 613-907-6283.

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