From: Jaylene Knight <Jaylene.Knight@cochrane.ca>
Subject: RE: [EXTERNAL] Amendment to Council Code of Conduct
Date: June 14, 2023 at 9:19:06 AM MDT
To: Ron Voss <Rvoss@lightspeed.ca>
Cc: Marni Fedeyko <Marni.Fedeyko@cochrane.ca>

Good morning Mr Voss,

Thank you for your follow up email. I can confirm that both the Code of Conduct Bylaw and the Procedural Bylaw are being reviewed and any revisions and will be brought back to Council for consideration in September. What we have identified after your presentation was that the Procedural bylaw specific the Mayor's conduct does not accurately reflect his duties as defined in the following section of the Municipal Government Act:

General duties of chief elected official
154(1) A chief elected official, in addition to performing the duties of a councillor, must
(a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and
(b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.

Duties of Councillors are defined within the act as follows:

General duties of councillors
153 Councillors have the following duties:
(a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
(a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
(b) to participate generally in developing and evaluating the policies and programs of the municipality;
(c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
(d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
(e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
(e.1) to adhere to the code of conduct established by the council under section 146.1(1);
(f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.
RSA 2000 cM-26 s153;2015 c8 s17;2016 c24 s15

Municipalities cannot pass bylaws that would be in contravention of the MGA and as such in re-reading our Procedural Bylaw it is clunky at best in that area and does not accurately reflect all

of the Mayor's responsibilities during meetings. I would suggest that that was what Councillor Nagel was reacting to and so we are actively working to bring forward a bylaw for Council's consideration that would more clearly outline procedures Councils must follow along with clarity on where those are defined within the MGA itself.

Please let me know if you have any further questions.

Thank you
J

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