

**Enter Your
Community Name**

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**COUNCIL
ORIENTATION**

Manitoba



Council Members

Mayor:

- Insert Name (Term expires October 20__)

Councillors:

- Insert Name (Term expires October 20__)
- Insert Name (Term expires October 20__)
- Insert Name (Term expires October 20__)
- Insert Name (Term expires October 20__)

Presentation Outline

Part 1 – Governance

Part 2 – Roles and Responsibilities

Part 3 – Administration

Part 4 – Council Member's Code of Conduct

Part 5 – Conflict of Interest

Part 6 – Respectful Workplaces

Part 7 – Fraud Awareness

Question Period

Part 1

Governance

Distribution of Legislative Powers in Canada

- the federal Constitution Act
- the federal government
- the provincial governments

Distribution of Legislative Powers in Canada

Delegated Authority:

- local government authorities
- local authorities have powers
- council receives its authority from The Northern Affairs Act

Community Council

Definition:

- Elected representatives of a community:
 - manage and provide municipal services and programs
 - ensure all decisions are made by majority vote
 - operate in an open and transparent manner
- Number of council members and rate of pay

Purpose of a Community

- provide good government
- provide services and facilities that council feels are necessary and desirable for all or part of the community
- develop and maintain a safe and viable community
- foster economic, social and environmental well being
- provide wise stewardship of public assets

Basic Principles of Elected Office

10 Principles:

1. Democratic representation.
2. Principle of accountability.
3. The role of an elected official is unique.
4. Communicating out to the public is as important as receiving input.
5. The will of the majority (as perceived by council).
6. Council and the administration should serve as a team.

Basic Principles of Elected Office

10 Principles continued:

7. Council deals with the organization through one employee, the CAO.
8. Council members need to respect their colleagues on council.
9. Respect for each other is the hallmark of a mature council.
10. Council members should develop an expertise in leadership and governing.

Authority to Govern

Acts:

- The Northern Affairs Act:
 - legal authority
 - provides for incorporation
- The minister has the legislated authority
- Meaning of terms used in legislation:
 - **Shall** – obligates council to act
 - **May** – empowers council to act

Authority to Govern

Regulations:

Have same authority as an act of the legislature:

- Community Councils Election regulation
- Status and Boundaries – Unincorporated Communities and Settlements regulation
- Council Compensation regulation
- Procedures and Delegation of Bylaw Making Powers
- Conflict of Interest regulation

Community Documents

Northern Affairs Manual of Policies and Procedures (NAMPP):

- Financial
- Public Works
- Land
- Protective Services
- Environmental Health Services
- Elections
- General

Community Documents

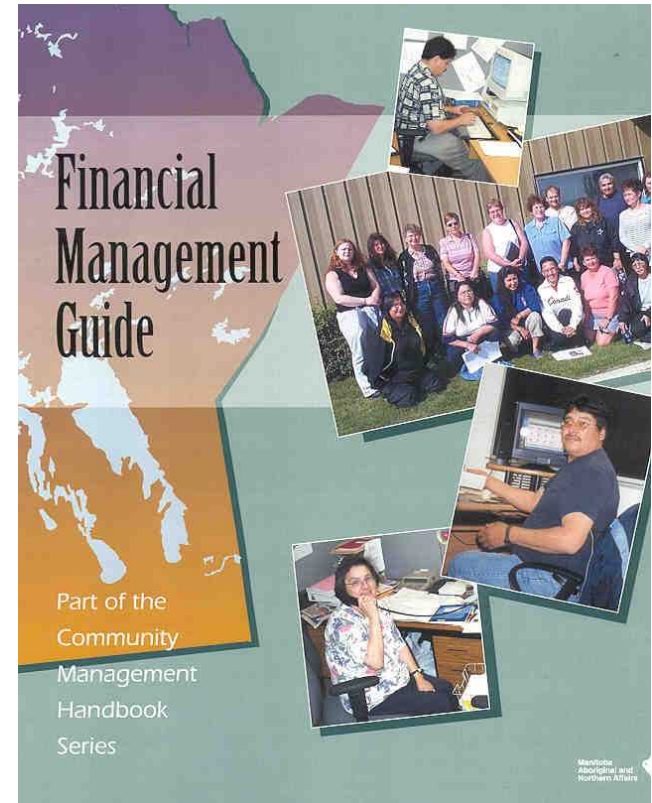
Community Management Series Manual:

- Running for Council Manual
- Council Orientation Manual
- Employee Management Guide
- Managing Your Own Affairs Manual
- Community Management Plan Development Manual
- Land Use Planning Guide
- Subdivision Process Guide
- Community Capital Program Manual

Community Documents

Financial Management Guide:

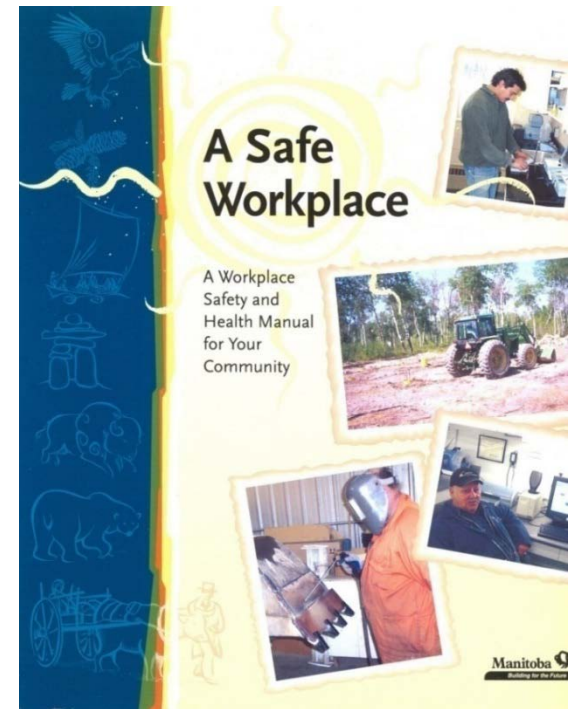
- Administrative
- Financial
- Budgeting and Coding
- Appendix



Community Documents

A Safe Workplace Manual:

- General Requirements
- Health and Safety Management
- Rules, Procedures, Practices and Guidelines



Community Documents

Community Development Corporation (CDC) Manual:

- Introduction
- Start-up
- Operating Guidelines
- Other Information
- Appendix
- List of Forms (Obtain Online)

Part 2

Roles and Responsibilities

Council Members

- practice good governance
- represent the public and act in the best interest of the community
- understand authority and policies
- attend all council meetings and council committee meetings and participate
- make objective and unbiased decisions and accept responsibility for council decisions

Council Members

- be aware of financial limitations in decision making and maintain financial integrity
- ensure administrative practices and procedures are in place to implement council decisions
- protect community assets
- ensure staff are adequately trained
- adhere to conflict of interest rules
- keep matters confidential

Council Members

- seek and distribute information to community residents and employees
- evaluate policies, programs and services of the community
- adhere to workplace safety and health requirements
- perform any other duty or function imposed by the council or an act

Additional Duties of the Mayor

- council representative
- chair of all council meetings
- ensure all council decisions are legal
- guard against conflict of interest
- ability to call special meetings
- responsible as head under FIPPA legislation

Council

- Govern under the following other legislation:
- Conflict of Interest regulation
 - The Municipal Council Conflict of Interest Act
 - The Freedom of Information and Protection of Privacy Act (FIPPA)
 - Criminal Code (Canada)

Council

- establish the community's organizational structure
- adopt rules of procedure
- responsible to the public
- appoints a community administrative officer (CAO)

Community Administrative Officer

- an information resource and principal advisor
- responsible for implementing council decisions
- attends council meetings
- prepares agendas and meeting minutes
- drafts resolutions and bylaws
- manages and supervises all council staff

Community Administrative Officer

- prepares and presents financial statements
- maintains files and filing systems
- provides administrative support
- develops and manages correspondence
- provides records for council inspection and audit purposes
- maintains records required under conflict of interest legislation
- ensures necessary documents are submitted

Department Program Consultants

Municipal Development Consultant

- facilitates increased financial management and administrative capacity through council and administrative staff development
- provides information on available resources and training and assists with interpretation of various legislation.

Department Program Consultants

Technical and Public Works Consultant

- assists communities plan, deliver, operate and maintain various public works and infrastructure projects
- assists community to establish a preventative maintenance program and assists with trouble shooting

Department Program Consultants

Environmental Consultant

- assists communities to plan, deliver, operate and maintain municipal service infrastructure
- water treatment plants and distribution systems, wastewater treatment plants and collection systems, and solid waste disposal grounds

Department Program Consultants

Workplace Safety and Health Consultant

- assists communities to comply with workplace safety and health requirements

Department Program Consultants

Protective Services Consultant

- works with communities to help improve their capacity to respond to public safety concerns
- fire, personal safety and community emergency situations

Department Program Consultants

Community and Resource Development Consultant

- promotes, assists and facilitates the process for communities to improve social and economic conditions
- assists with land use planning

Department Program Consultants

Recreation and Wellness Consultant

- works closely with recreation staff and council to assist in finding resources to support program planning and delivery
- promotes the benefits of recreation and wellness opportunities to community leaders

Part 3

Administration

Meeting Management

- council determines date and time of at least 10 regular meetings per year
- the mayor may call special meetings
- council meetings are open to the public
- What if a council member misses three consecutive regular council meetings?

Meeting Management

Duties of Community Administrative Officer

- prepares and distributes agenda
- prepares and presents financial statements
- requests approval of payables
- presents correspondence
- provides well researched reports
- records minutes and resolutions

Meeting Management

Duties of Council Members

- attend all council meetings and other bodies appointed to by council
- participate in discussions
- represent concerns and views of the community
- behave in an orderly manner and comply with the council member's code of conduct
- keep matters confidential until discussed at a meeting open to the public
- consider well-being and interests of community

Meeting Management

Additional Duties of the Mayor

- preside when in attendance
- ensure there is a quorum
- conduct an orderly meeting
- ensure everyone has a chance to speak
- ensure decisions are made by resolution, carried by a majority vote
- provide leadership and direction

Decision Making

- council may act only by bylaw or resolution
- every member of council must vote
- bylaws are required when specified by legislation
- resolutions are an expression of council decisions
- unincorporated communities must file with the minister each bylaw and resolution

Financial Management

- it is important to know the community's financial position
- making economic and efficient use of limited resources
- protecting community assets from theft, fraud or neglect
- involves planning (includes budgeting), implementing and controlling

Financial Management

Planning

Community Management Plan (CMP):

- operating budget
- capital budget
- five-year capital expenditure program
- other components

Financial Management

Implementing

- decisions are guided by the CMP
- significant deviations from the plan
- anticipated deficits must be reported
- unplanned expenditures

Financial Management

Controlling

- current and accurate financial information
- information found in financial statements
- understanding financial statements

Financial Management

Understanding and Interpreting Financial Statements

Refer to Appendix B as a guide

Part 4

Council Member's Code of Conduct

Code of Conduct

- helps to ensure acceptable conduct and behaviour
- is in addition to existing legislation under which councils govern
- includes consequence of breaching the code of conduct
- a sample can be found in the *Financial Management Guide*

Code of Conduct

Developing an effective code of conduct:

- don't overlook the importance of the process
- make the code of conduct meaningful
- make sure the code of conduct is consistent with existing laws and policies
- offer ongoing advice, education and support
- revisit it regularly

Part 5

Conflict of Interest

Conflict of Interest

- arises when a council member takes advantage of their position on council to benefit themselves or immediate family
- members of council cannot use their position for direct personal gain
- members of council must excuse themselves from the meeting if they have a conflict of interest

Conflict of Interest

- the Conflict of Interest regulation and the Municipal Council Conflict of Interest Act
 - the act: section 10 details assets and interests for disclosure
- council members must disclose any conflict of interest
- statements filed are public documents

Part 6

Respectful Workplaces

Respectful Workplaces

Every employee is entitled to work in an environment that is respectful and free of all forms of harassment, including sexual harassment and bullying.

- as an employer, council must have a written policy
- must ensure all workers comply
- must ensure all employees are aware of the policy and expected behaviors

Respectful Workplaces

Types of Harassment:

- discrimination
- disrespectful behaviour
- disruptive workplace conflict
- harassment – offensive actions
- sexual harassment

Respectful Workplaces

Employees Rights and Responsibilities:

- the right to a harassment-free workplace
- the right to file a complaint with the Manitoba Human Rights Commission
- the responsibility to:
 - treat other employees with respect
 - speak up when harassment occurs
 - report harassment to the appropriate person as soon as possible

Respectful Workplaces

Employer Responsibilities:

- ensuring a harassment-free workplace
- providing leadership and taking responsibility for fostering a workplace culture of respect
- set a positive example
- avoid behaving disrespectfully
- participate in training

Respectful Workplaces

Employer Responsibilities:

- intervention
- fairness, confidentiality and timeliness
- no reprisal or retaliation
- workplace restoration
- confidentiality
- duty to report and investigate

Part 7

Fraud Awareness

Fraud Awareness

Each council member is responsible to protect community assets from misuse, theft or fraud.

Fraud Related Facts:

- fraud is often a result of poor management practices
- early detection reduces losses
- prevention starts with good financial and administrative practices
- **be aware of the warning signs**

Fraud Awareness

Warning Signs

- infrequent council meetings
- a lack of approvals
- no documentation for expenditures
- late or no bank reconciliations
- late payments, charges and penalties
- inability to complete projects timely
- failure to deposit reserve funds into reserve investments
- signing of blank cheques

Fraud Awareness

Preventing Fraud in Your Community

- attend council meetings
- ensure resolutions are passed approving all payments
- ensure a resolution is passed approving the latest financial statements, bank reconciliation is attached
- ensure minutes are complete prior to approval, all lists attached

Fraud Awareness

Preventing Fraud in Your Community

- ensure all payments have backup, unusual interest charges are noted
- ensure all travel advances are within policy and accounted for
- take mention of misuse of community assets seriously
- ensure immediate family are not signatories
- report any concerns immediately to the department

QUESTIONS?

