

NOMINATION INFORMATION PACKAGE

2021



INCLUDED:

GENERAL INFORMATION

REFERENCE MATERIALS

WHAT DO I NEED TO KNOW
ABOUT BEING A COUNCILLOR OR
MAYOR?

MEETINGS & COMMITTEES

ELIGIBILITY

CAMPAIGNING & FINANCING

GENERAL INFORMATION

TOWN OF FOX CREEK 2021 ELECTION

DISCLAIMER

This is an information package only and has no legislative sanction. For certainty, the Local Authorities Election Act and other relevant statutes and regulations should be consulted. The material that follows is the Town of Fox Creek's understanding of the legislation. This summary is not intended to replace the candidate's responsibility for reading and understanding this legislation, nor to seek appropriate legal or accounting advice from professionals, as required. The candidate is responsible to ensure their campaign complies with all provincial laws.

This package has been developed to assist you in your decision to run for Council in the Town of Fox Creek and to help candidates in preparing for the General Municipal Election on October 18, 2021.



CONTACT INFORMATION

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FREQUENTLY CITED RESOURCES

Municipal Affairs Website:
http://www.municipalaffairs.alberta.ca/mc_elections

Local Authorities Elections Act:
<http://www.qp.alberta.ca/documents/Acts/L21.pdf>

Municipal Government Act:
<http://www.qp.alberta.ca/documents/Acts/m26.pdf>

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

The personal information that is being collected under the authority of the Local Authorities Elections Act will be used for the purposes under that Act. It is protected by the privacy provision of the Freedom of Information and Protection of Privacy Act.

RUNNING FOR COUNCIL

INTRODUCTION

The Municipal Government Act and the Local Authorities Election Act are the key pieces of legislation that guide elections and municipal councils in Alberta. This guide is for informational purposes only and has no legislative sanction. It contains some important information, but is not all-inclusive and prospective candidates should consult both the Municipal Government Act and Local Authorities Election Act. This guide serves as an additional resource.

The Municipal Government Act establishes the purpose of municipalities:

- To provide good government; to foster the well-being of the environment
- To provide services, facilities or other things that, in the opinion of Council are desirable for all or a part of the municipality;
- To develop and maintain safe and viable communities; and
- To work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services.

The Town of Fox Creek conducts a general municipal election every four (4) years for the following municipal offices:

- Mayor (1) position
- Councillor (6) positions

WHAT SHOULD I KNOW ABOUT THE ROLE OF A COUNCILLOR?

Council is responsible for:

- Developing and evaluating the policies and programs of the municipality.
- Making sure that the powers, duties, and functions of the municipality are appropriately carried out.
- Carrying out the powers, duties and functions expressly given to it under the Municipal Government Act or any other enactment.
- A Council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the Chief Administrative Officer (CAO) or a designated officer.

DUTIES OF A COUNCILLOR

In accordance with the Municipal Government Act, a Councillor's duties include:

- To consider the welfare and interests of the municipality as a whole and to bring Council's attention to anything that would promote the welfare or interests of the municipality.
- To promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities.
- To participate generally in developing and evaluating the policies and programs of the municipality.
- To participate in Council meetings, Council Committee meetings, and meetings of other bodies to which they are appointed by Council.
- To obtain information about the operation or administration of the municipality from the Chief Administrative Officer (CAO), or a person designated by the CAO.
- To keep in confidence matters discussed in private at a Council or Council Committee meeting until discussed at a meeting held in public.
- To adhere to the Code of Conduct established by Council in Bylaw 823-2019 To Establish a Code of Conduct for Members of Council; and
- To perform any other duty or function imposed on Councillors by the Municipal Government Act or any other enactment, or by Council.

(Section 153 Municipal Government Act)

DUTIES OF THE MAYOR

The Mayor must:

- Preside in attendance at a Council meeting, unless a bylaw provides that other Councillors, or another person is to preside; and
- Perform any other duty imposed on a Mayor under the Municipal Government Act or any other enactment or bylaw.
- The Mayor is a member of all Council Committees and all bodies to which Council has the right to appoint members under the Municipal Government Act, unless Council provides otherwise.

(Section 154 Municipal Government Act)

THE MAYOR AND COUNCILLORS ARE:

- Elected for a four (4) year term, concluding October 2025.
- In accordance with P075-2020 Council Remuneration Policy, Councillors are paid a monthly flat rate of \$750.00 / month.
- In accordance with P075-2020 Council Remuneration Policy, the Mayor is paid a monthly flat rate of \$1000.00 / month.
- Eligible for life, dependant, accidental death and dismemberment insurance, and extended health benefits.
- Claims for travel expenses that occur from conducting Town of Fox Creek business may be made in accordance with P075-2020 Council Remuneration Policy.

For more information, refer to Municipal Affairs – “Running for Municipal Officer in Alberta – A Candidates Guide”

The Mayor and Councillors are also paid per meeting outside of regular Council Meetings (called a “per diem”) \$25.00 / hour.

- Daily Maximum \$250.00

Additional compensation of \$50.00 / month is given as a communication allowance.

The Local Authorities Election Act outlines the term of office and the Municipal Government Act outlines Council’s responsibilities and other duties.

(Section 10, Local Authorities Election Act and Sections 150, 152, 153, and 201 of the Municipal Government Act)

COUNCIL BOARDS & COMMITTEES

There are a number of Council Boards and Committees that Members of Council are appointed to annually at the organizational meeting held every October. The appointments are shared amongst Council based on location, interest, and experience. These Boards and Committees include:

BOARDS & COMMITTEES

ASSESSMENT REVIEW BOARD
 COMMUNITY ENHANCEMENT COMMITTEE
 CULTURE & RECREATION BOARD
 EMERGENCY MANAGEMENT COMMITTEE
 INTERMUNICIPAL COLLABORATION FRAMEWORK COMMITTEE
 JOINT ECONOMIC DEVELOPMENT & TOURISM BOARD
 LEGACY SCHOLARSHIP COMMITTEE
 MUNICIPAL PLANNING COMMISSION
 SUBDIVISION & DEVELOPMENT APPEAL BOARD
 ALBERTA C.A.R.E.
 FOX CREEK CHAMBER OF COMMERCE
 COMMUNITY FUTURES YELLOWHEAD EAST
 GREENVIEW WASTE MANAGEMENT COMMISSION
 GOLDEN TRIANGLE BOARD
 HEART RIVER FOUNDATION
 MILLAR WESTERN ADVISORY COMMITTEE /
 WHITECOURT REGIONAL FOREST ADVISORY COMMITTEE
 MUNICIPAL LIBRARY BOARD
 PEACE LIBRARY BOARD
 BUSINESS SUPPORT NETWORK
 FOX CREEK SYNERGY GROUP

ADMINISTRATION OF A MUNICIPALITY

Council's role is to establish policy for the municipality. It is the job of administration to implement the policy direction. Alberta municipalities have competent and dedicated administrators. The Chief Administrative Officer (CAO) is the only employee of Council, and Council relies on the support, advice, and assistance of the CAO to be an effective Council. The CAOs training, experience, and understanding of how and why things have developed the way they have is an important resource to Council.

TIME COMMITMENT

The time commitment required on Council business varies significantly depending on the number of training opportunities, committees and boards a Councillor is appointed to serve on or attend.

Councillors are required to be available for frequent intermittent periods of time throughout each week during business and evening hours.

Members of Council will attend Regular Council Meetings, which are currently held every third Monday of the month, and Committee of the Whole Meetings when needed. Members of Council are also required to attend various Committee, Board, and Special Council Meetings.

In preparation for the meetings, an electronic agenda package is prepared for Council members and is generally available by 1:00 pm on the Friday prior to the Council Meeting to allow time for reading and reviewing of the package.

Reading and reviewing the agenda package beforehand allows members of Council to prepare for discussion of the issues at the meeting.

Municipalities are required to offer orientation training to be held within ninety (90) days after each Councillor takes the Oath of Office. All Members of Council are required to take Councillor Orientation following a Municipal Election. For new Members of Council, this training provides and overview of Council roles and responsibilities, as well as an overview of the Town of Fox Creek's departments, operations, and the role of administration. For returning Members of Council, this is an opportunity for a refresher. The training must be offered within three (3) months of the election and will either be conducted internally by the Town of Fox Creek, or in conjunction with other municipalities.

Council members are expected to sit on several committees. The time commitment will vary depending on each committee.

COUNCIL BUDGET MEETINGS & STRATEGIC PLANNING SESSIONS

Each year, in addition to the regular Council Meetings, Council meets to review annual financial policies and resources for the upcoming fiscal year, Town department budgets, and to either set or review the Strategic Plan for the community. The schedule for the 2022 budget meetings and Strategic Planning Session will be set with the new Council. An annual operating budget must be adopted by Council no later than December 31st of the preceding year in which it relates.

AM I ELIGIBLE TO RUN FOR COUNCIL?

Generally, you are eligible to be nominated as a candidate, if on Nomination Day (September 20, 2021) you are:

- At least 18 years of age by Election Day; and
- A Canadian Citizen; and
- A resident of the Town of Fox Creek for six (6) consecutive months preceding Nomination Day, and not otherwise ineligible or disqualified. For example, Section 22 of the Local Authorities Election Act states a person is ineligible to be nominated as a candidate if:
 - They are an auditor of the Town of Fox Creek.
 - They are an employee of the Town of Fox Creek, unless they have been granted a leave of absence.
 - The person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50.00, excluding from that amount:
 - » Indebtedness for current taxes, and
 - » Any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality unless the person is in default in the payment of any money due under the agreement.
 - » The person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500.00 and in default for more than ninety (90) days.
 - They have, within the previous ten (10) years, been convicted of an offence under the Local Authorities Election Act, the Election Act, the Elections Finances and Contributions Disclosure Act, or the Canada Elections Act (Canada).

(Section 21, 22 and 23, Local Authorities Election Act)

HOW DO I BECOME NOMINATED FOR MUNICIPAL COUNCIL?

To become nominated, you must:

- Complete and submit the Nomination Form attached to this package,
- Have your Nomination Form signed by at least five (5) eligible voters who are electors and residents of the Town of Fox Creek.
 - You may submit more than five (5) electors by using the reverse side of the Nomination Form.
 - Include the printed name of each elector, the address of their residence for each elector and the signature of each elector.
- Complete and swear (or affirm) the candidate's acceptance on the Nomination Form in the presence of a Deputy Returning Officer or a Commissioner for Oaths; and

- Submit the Nomination Papers (in person only) to the Returning Officer or a designated Deputy Returning Officer between January 1, 2021 and Monday, September 20, 2021 (Nomination Day) before 12:00 pm (noon) – at the Town Administration Office, 102 Kaybob Drive, Fox Creek, Alberta.
- You may arrange for someone to submit the Nomination Paper on your behalf if you are unavailable; however, if you do so, you will have to sign your Nomination Paper in the presence of a Commission for Oaths ahead of time.
- Your Nomination Paper must be accompanied by a deposit of \$50.00 in the form of cash, certified cheque, or money order (payment by debit card is not considered cash).
- DO NOT fax, mail, or email Nomination Papers – they will not be accepted.
- A candidate may appoint an official agent as part of the nomination process.
- Nominated Candidates are responsible for ensuring the nomination filed meets the legislated requirements of the Local Authorities Election Act. The Returning Officer will not accept incomplete nominations. Nomination forms will NOT be accepted after 12:00 pm (noon) on September 20, 2021.

(Section 27, 28, 68.1 and 151, Local Authorities Election Act)



CAN I WITHDRAW MY NOMINATION?

To withdraw your nomination, you:

- May do so at any time between January 1, 2021 and September 19, 2021.
- After September 20, 2021, may do so only if more than the required number of Candidates are nominated.
- Must do so within twenty-four (24) hours of the close of nominations, that is, between 12:00 pm (noon) on September 20, 2021 and 11:59 am on September 21, 2021.
- You must submit your Notice of Withdrawal in writing to the Returning Officer and drop it off at the Town Administration Office at 102 Kaybob Drive, Fox Creek, Alberta.

(Section 32, Local Authorities Election Act)



WHAT SHOULD I KNOW ABOUT CAMPAIGNING, CAMPAIGN MATERIALS & SIGNS?

When developing and designing campaign materials and signs you:

- Cannot print material or signs that show a ballot marked for a candidate.
- Cannot use the Town of Fox Creek logo, symbol or brand.

(Section 148, Local Authorities Election Act)

When you distribute campaign material or signs, you:

- Must get consent from the property owner before placing any signs. This includes the Town of Fox Creek.
- Cannot display or distribute campaign material or signs at a voting station on Election Day or on the property of a voting station.

(Section 152, Local Authorities Election Act)

If a Candidate, official agent, or a campaign worker is obstructed from accessing a building containing two (2) or more residences or to each residence in a mobile home park, the Candidate, official agent, or campaign worker may obtain identification from the Returning Officer.

(Section 52, Local Authorities Election Act)

WHAT SHOULD I KNOW ABOUT ELECTION DAY?

The Town of Fox Creek will have a designated voting station.

A person is eligible to vote on Election Day, if the person:

- Is at least 18 years of age; and
- Is a Canadian citizen; and
- Is a resident of the Town of Fox Creek on election day;
- Has not previously voted in this election;
- Produces one piece of Picture ID issued by a Canadian Government Agency at the voting station, and one piece of ID authorized by the Chief Electoral Officer under the Election Act, that establishes the person's name and current address.

(Section 53, Local Authorities Election Act)

IN ORDER TO HAVE A CANDIDATES SCRUTINEER REPRESENT YOU AT THE VOTING STATION, YOU MUST:

- Complete a written notice stating that the scrutineer, who must be at least 18 years old, is their representative at a specific voting station.
- Have no more than one (1) scrutineer representing them at any one (1) time at a specific voting station.
- Ensure your scrutineer does not interfere with the voting process.
- Ensure your scrutineer follows the instructions of the Returning Officer in charge of the Voting Station.
- Inform your scrutineer that they will be required to make an official oath and sign a Statement of Scrutineer.
- A scrutineer must not have, within the previous 10 years, been convicted of an offence under the Local Authorities Election Act or the Canada Elections Act (Canada).

(Sections 16,69 and 150 Local Authorities Election Act)



WHEN WILL I KNOW IF I HAVE BEEN ELECTED?

Unofficial results may be made available following the counting. The official results are announced at noon, 12:00 pm, on the fourth day after the election – Friday October 22, 2021.

(Section 97, Local Authorities Election Act)

CAN I REQUEST A RECOUNT?

Who can request a recount?

The Returning Officer may call for a recount of the votes cast at one or more of the voting stations, if:

- A Candidate, official agent, or scrutineer shows grounds that the Returning Officer considers reasonable for alleging that the record of the count at any voting station is inaccurate.
- The Returning Officer considered that the number of valid ballots objected to or rejected ballots other than those on which no vote was cast, was sufficient to affect the result of the election; or
- The Returning Officer is of the opinion that there may have been an administrative or technical error that may have caused an error in the count of votes.

When can a recount happen?

- An application for a recount may be made within forty-four (44) hours immediately following the closing of the voting stations on Election Day. No applications for a recount will be accepted by the Returning Officer after the prescribed forty-four (44) hours has passed.

How will I know if a recount is happening?

- If the Returning Officer calls for a recount, they must within twelve (12) hours of the recount, notify any candidates who may be affected, and those election officers that the Returning Officer deems necessary to conduct the recount.

CAMPAIGN FINANCING & DISCLOSURE STATEMENTS

Where do I put campaign contributions?

Candidates must ensure that a campaign account in the name of the candidate or the candidate's election campaign is opened at a financial institution for the purposes of the election campaign at the time of nomination or as soon as possible after the total amount of contributions first exceeds \$1000.00 in the aggregate.

Duties of the candidate in relation to this account include:

- All contributions should be deposited into this campaign account.
- Money in the campaign account shall only be used for the payment of campaign expenses.
- Contributions of real property, personal property and services are valued.
- Receipts are issued for every contribution and obtained for every expense.
- Records are kept of contributions and campaign expenses and are retained by the candidate for a period of three (3) years following the date on which the disclosure statements were required to be filed, and
- Proper direction is given to the candidates' official agent and any other person who is authorized to incur campaign expenses and accept or solicit contributions on behalf of the candidate.

Who can make a campaign contribution?

Only an individual resident of Alberta may make a contribution to a candidate. No prohibited organization and no individual that resides outside of Alberta may make a contribution.

How much can an individual contribute?

The maximum an individual can contribute is \$5,000.00 to a candidate, but they can contribute to the campaigns of as many candidates as they wish.

How much can I contribute to my own campaign?

A candidate may contribute an amount up to \$10,000.00 that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period to the candidate's own campaign expenses.

Deadline to file campaign disclosure statement:

A Candidate must file a disclosure statement regarding campaign contributions and expenses in the prescribed form before March 1, 2022, following an election with the Returning Officer or the municipality. All candidates must file a campaign disclosure statement whether they are elected or withdraw their nomination or do not accept campaign contributions.

What is included in the Disclosure?

The contribution disclosure must include all information outlined in Section 147.4 of the Local Authorities Election Act, including:

- The Total amount of all contributions received during the campaign period that did not exceed \$50.00 in the aggregate from any single contributor.
- The total amount contributed, together with the contributor's name and address, for each contributor whose contributions exceed \$50.00 in aggregate.
- The total amount of all contributions received as referred to in section 147.22(3), regarding funds received outside the campaign period.
- The total amount from fund-raising functions.
- The total amount of campaign expenses.
- An itemized campaign expense report setting out the campaign expenses incurred by the candidate.
- The total amount paid by the candidate's own funds not reimbursed from the candidate's campaign fund.
- The total number of any campaign surplus, including any surplus from previous campaigns; and
- The amount of any deficit.
- A candidate who has incurred campaign expenses or received contributions of \$50,000.00 or more shall file a review engagement with the disclosure statement.

Campaign Surplus

If the candidate's disclosure statement shows a surplus, the candidate, within sixty (60) days after filing the disclosure statement:

- Shall donate any amount in excess of \$1,000.00 to a registered charity so that the surplus is reduced to less than \$1,000.00.
- May retain all or a portion of a surplus less than \$1,000.00 or donate all or a portion of the surplus to a registered charity.
- Candidates who donate excess amounts to a registered charity shall within thirty (30) days after the expiration of the sixty (60) day period, file an amended disclosure statement showing that the surplus has been dealt with in accordance with regulations.

Campaign Deficit

If a candidate's disclosure statement shows a deficit, the candidate shall eliminate the deficit within sixty (60) days after filing the disclosure statement with the local jurisdiction and file an amended disclosure statement showing that the deficit has been dealt with in accordance with regulations.

(Sections 147.1, 147.11, 147.2, 147.3, 147.4, 147.5, 147.7, 147.8, 147.91, 147.92 and 118(1) Local Authorities Election Act)

KEY ELECTION DATES

»	NOMINATION DAY	MONDAY, SEPTEMBER 20, 2021
»	DEADLINE FOR WITHDRAWAL OF NOMINATION	TUESDAY, SEPTEMBER 21, 2021
»	ELECTION DAY	MONDAY, OCTOBER 18, 2021
»	REMOVAL OF ELECTION SIGNS	TUESDAY, OCTOBER 19, 2021
»	RECOUNT DEADLINE	WEDNESDAY, OCTOBER 21, 2021
»	OFFICIAL ELECTION RESULTS	FRIDAY, OCTOBER 22, 2021
»	DEADLINE FOR FILING OF CAMPAIGN DISCLOSURE STATEMENTS	MARCH 1, 2022