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## **INTRODUCTION**

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An orientation session for municipal elected officials is a very beneficial first step to your term on council. These sessions provide an opportunity for newly elected officials, and for individuals who have been on Council for some time, to seek clarification and to add to their knowledge about the organization, structure and activities of municipal government. This session further provides a unique opportunity for municipal officials to obtain an overview of municipal government, its function and operations as it pertains to each individual municipality. It also acquaints Council members with important issues or concerns which may be outstanding.

## **CONGRATULATIONS**

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Every four years, a handful of men and women across Newfoundland and Labrador seriously consider the difference they can make in their community and run for election to municipal council. You are one of these unique individuals who have stepped forward looking for an opportunity to play a significant role in your community and your fellow citizens have elected you because they are confident in your abilities. Individuals seek elected office with many views on what is required to provide the services for their area and can better accomplish those objectives by working together as a team.

It is important to understand that you aren't alone in carrying out your new responsibilities as a council member. There is a great deal of support from both your municipal staff and other agencies to help you be as effective a councillor as possible. By becoming aware of this support, the municipal council process, your responsibilities as councillor and the legislation which deals with the issues of running a municipality you will become a more effective representative for the people of your community.

A seat on a council brings significant responsibilities. However, it also brings significant opportunities to work toward what you feel your community can become with the right planning and vision. You are at the beginning of a rewarding experience - an experience where you can contribute to the quality of life in your community. This orientation provides a basic overview of the information you need to become a more effective and knowledgeable member of your municipal council.

## LOCAL GOVERNMENT'S PLACE AND MUNICIPAL ELECTION

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Municipal councils are the first link in a chain of governing levels leading all the way to the Provincial and Federal Government. The decisions and the laws passed in the chambers of a town hall have the same significance and legal authority within that community as any made in the House of Assembly or House of Commons.

There are important pieces of legislation to keep in mind when dealing with the affairs of your community, but it's the **Municipalities Act, 1999 Chapter M - 24\*** that is the key legislation which will ultimately influence the decisions facing council.

*The Municipalities Act\* is a comprehensive listing and description of every important aspect of local government. It's referred to as "permissive" legislation - because councils can deal with only those activities clearly laid out in the Act.*

**Quite simply, unless the Act says a council can do something, then they can't.**

The Act outlines exactly what is expected of local government in terms of procedure, organization and duties. Among other things, it addresses:

- The roles and responsibilities of the mayor, councillors and senior staff.
- The required frequency of meetings and who should attend.
- The time frames for budgets, revised budgets, and financial reports.
- All areas of municipal taxation and collection.
- Capital acquisitions and borrowing.
- Conflict of interest issues.
- Areas of municipal, council, and individual liability.

\* The City of St. John's Act, the City of Corner Brook Act and the City of Mount Pearl Act.

The Act is the "bible" of local government. Elected officials who have a working understanding of its scope and intent will be effective representatives on council. Your administrative staff already has a great deal of experience working with it and you'll find them a great source of guidance in understanding and working within the Act.

There is other legislation you will deal with as different issues or challenges surface during your term; For example:

- The Public Tendering Act
- The Assessment Act
- The Urban and Rural Planning Act
- The Municipal Elections Act

*The amount of legislation in place dealing with the operation of local government can be a little overwhelming at first.*

***However your administrative staff is a valuable resource in helping you to understand the impact such legislation has on your decision making.***

*As you will soon see, one of their chief roles is providing you with the support you need to carry out the vision of your council.*

## **THE PARTICIPANTS IN LOCAL GOVERNMENT**

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You are an elected councillor. You decided to run, you were elected and now the people of your community are looking to you to deliver. You now have certain responsibilities and obligations both as a councillor and council as a whole. There will be laws you can pass, and laws you must pass. There will be new policies to decide, and challenges to face.

You'll have to consider the direction you wish to take the community for the next four years.

- Community priorities need to be set.
- Economic development and strategic plans are important tools to ensure your priorities are met.
- Municipal budgets have to be developed.
- Revenue collected. Tax levels set.
- Servicing requirements and levels have to be determined.
- Decisions made on capital purchases.

You have a full slate of responsibilities as you set about the business of running the community - and you have to accomplish this all while clearly communicating your vision to both your administrative staff and the community at large.

Councillors are the direct representatives of their constituents. It's your responsibility to be informed on the issues facing your community; to provide leadership; and to create a vision of what

the council as a whole will accomplish during the current term in office. You also have to establish and approve policies affecting the provision of services in the community and to work closely with municipal administrators in a spirit of cooperation and fairness.

*Objectivity is the key to being an effective councillor. You must be open minded and willing to listen. You must come to each issue open to the best course of action - regardless of how you personally feel. Everyone's input and viewpoint is critical to arrive at the right decision. You have to be committed to keeping yourself educated and informed about the issues facing your community, otherwise you cannot set policies or enact new laws in the best interests of your constituents. It's your responsibility to stay in touch with the people you represent.*

Supporting the council is the administrative staff who are in place to carry out the directives of the council. Local government is a team effort between elected councillors and the administrative staff. Council and administration are working toward the same goal - providing your community with a high standard of services within a clean, healthy and safe environment. Council creates the vision of where they want to take the community. The administrative staff provides the day-to-day support to realize this vision and the expertise in implementing the goals, objectives and policies of council.

The administrative staff does not set policy or enact regulations - only council can do this. What they will do is provide council with guidance and recommendations as to what is possible, legal and enforceable. Once council has made its decision on a particular issue - it is the job of the administrative staff to put it into practice and then be responsible to council for its implementation.

*You'll find your administrative staff has a great deal of experience in working with legislation and other matters confronting council. So it's important to consult with the administrative staff for their advice on all decisions or actions of council. They're in the best position to alert you to possible problems or challenges which may arise from implementing a new policy or bylaw.*

The staff is also in place to collect the revenue flowing from tax sources and manage the community resources allocated in the budgets approved by council. Their involvement in the day-to-day running of the community is essential. So is the need for an atmosphere of trust and mutual respect between the senior staff and members of council. The new council is in place. The new mayor is recognized, and the senior staff is prepared to work with a new agenda. The business of charting the new course for the community can begin.

A clear understanding of the respective roles and responsibilities of elected and appointed officials is essential to the well-ordered operation of every municipal unit, as is an understanding of appropriate reporting relationships.

## **Roles and responsibilities of Council include:**

- appreciating and understanding the democratic system
- setting the direction for the municipality
- approving budgeted allocations
- providing leadership
- setting tax rates
- establishing priorities
- ensuring that all residents of the municipality are provided with an appropriate mix and level of services
- developing and approving policies as well as the municipality's strategic plan
- approving the operating structure for the municipality
- understanding and appreciating the role of municipal staff
- encouraging communication between Council and staff
- ensuring the organization has appropriate staff resources
- adopting regulations, resolutions, and policies
- maintaining good public relations and promoting healthy provincial-municipal relations
- encouraging positive inter-municipal relations
- maintaining contact with the media
- evaluating senior management
- ensuring that municipal employees are provided with fair salaries and benefits and with adequate opportunities for skill upgrading and professional development
- maintain an open mind and having a commitment to the goal of lifelong learning

## **Roles and responsibilities of senior administration include:**

- appreciating the democratic system
- understanding the fundamentals of management
- acting as a resource by way of providing advice to Council
- understanding the budgeting process (*including assessment*)
- understanding the financial and legal aspects of municipal government (*e.g., the provincial acts and regulations and the municipal regulations*)
- implementing and administering approved policies of Council
- informing Council and its boards and committees of possible options, alternatives, and implications
- recommending appropriate courses of action
- managing the organization; undertaking day-to-day tasks in a timely and cost-effective fashion
- providing leadership in short and long-range planning
- managing personnel (*e.g., staff training and development, evaluation, recruitment and selection*)

- managing fiscal resources and approving expenditures as set out in municipal policies and regulations
- communicating effectively
- preparing reports, draft policies, and budgets
- responding to public enquiries
- staying informed of developments affecting municipal operations
- evaluating programs and policies
- maintaining an open mind and having a commitment to the goal of lifelong learning

*There are some similarities between the role of council and staff. However, it is important to realize that the role of council is to set policies and the role of staff is to implement those policies.*

## **THE BUDGET PROCESS AND STRATEGIC PLANNING**

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Local government has significant responsibilities to its citizens. Taxes have to be imposed and collected. Appropriate staffing levels have to be maintained. Past policies and regulations have to be reviewed and updated if necessary. All this has to be accomplished within a spirit of fairness and communication in the community.

*Generally, all actions of an effective council will flow from two direction setting exercises early in the game: a strategic plan process for the next four years and the annual municipal budget process. Without a strategic plan, governing will be reactive rather than proactive, and the end of your mandate will arrive far too soon with too little accomplished. It is necessary to develop realistic operating and capital budgets. Once a balanced operating budget is in place, it will be a significant guide as to how council is doing both strategically and financially.*



## **THE BUDGET**

This is where one of the major responsibilities of council comes into play, development of a balanced operating budget.

*An operating budget for the municipality is required and must be prepared and adopted by council within 90 days of taking office. The budget must be balanced, and show realistic estimates of the revenue and expenses the municipality will face over the next year. It will become clear what levels of taxation will be required and what major capital, recreational or other projects are realistic as council works toward balancing the budget.*

Your main sources of revenue will come from taxes. In compiling your budget, the availability of other revenue sources should also be considered.

You are not alone. You will find that developing the budget is a team approach. The administrative staff is familiar with the preparation of a budget. They are used to dealing with the banks, provincial government officials, and collecting taxes. They are also used to finding appropriate suppliers and obtaining quotes for special projects. Once a budget is adopted, it is everyone's responsibility to live within the budget. Municipal government can better fulfill its obligations to the community if administrative staff and council understand the financial health and capabilities of their municipality. A thorough budgetary process is a priority for a new council.

A successful council develops its budget around its plan for the future. A commitment to producing realistic and fiscally responsible municipal budgets will be key to delivering on its strategic plan.

## **STRATEGIC PLAN**

What do you want to accomplish as a council? Local government must have a vision of what it wishes to accomplish. Councillors should bring their ideas to the table and spend the necessary brainstorming time developing a long-term vision for the council. Make sure you take the time to involve the citizens of your community. After all, you have chosen to come forward and make a difference in your community. The development of a plan outlining capital works, community economic development, goals for service delivery, community recreation, new policy objectives, bylaw considerations and others is a key activity of a council focused on successful government. Once the plan has been developed, it must be reviewed and updated on an ongoing basis.

## THE BUSINESS OF COUNCIL

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Council members and municipal staff spend a significant amount of time attending and participating in a variety of meetings.

The **regular council meeting** is the essential public forum where decisions of council are formally passed into the law of the municipality. It is the only meeting for the final debate and decision on any issue. No policy can be adopted, resolution passed or regulations confirmed except at the regular public council meeting.

*Your role as a councillor is to ensure you are prepared to discuss and debate all issues. Your regular attendance and commitment to take a position and vote are your main responsibilities as a representative for your constituents. In fact, as a councillor and as mayor, you are required under the Act to vote on all issues before council. If a majority of councillors, including the mayor, cannot attend a regular meeting, there is no quorum and the meeting can't take place.*

While all final decisions must be made at the regular public meetings, there are other types of meetings which might be held as council conducts its affairs.

When a larger issue is being considered, a **special or standing committee** may be formed to study it and report back to council with its findings or recommendations. Council decides on the participants of the committee, and then waits for the results. It is the role of committees to present information and make recommendations to council.

**Privileged meetings** may be called on specific issues that are not ready to be debated publically. ***A decision might come out of such a meeting, but it cannot be acted upon until it is voted on and made valid at a regular public meeting.***

**Special meetings** may be called by the mayor or two councillors to deal with specific issues and only those issues. Discussion cannot move outside of the issue on the table. Special meetings may be either public or privileged. A special meeting might begin public, but declared privileged if necessary.

Privileged and special meetings provide council with the ability to explore and discuss specific issues without the worry of releasing confidential or sensitive information in a public meeting. These meetings protect the private affairs of individuals, organizations or businesses of the community and it protects any sensitive matters of the municipality not yet ready for disclosure. It's important to understand no decision or course of action can be enacted behind closed doors. All policies, decisions or recommendations coming out of these meetings must be ratified in a public council meeting vote before they can be implemented. The mayor chairs the regular council meeting. He or she ensures the proper rules of debate and procedure which were adopted by council are followed,

that meetings run smoothly and all councillors are given the opportunity to participate. The mayor should encourage debate, however he or she cannot join the debate unless he or she leaves the chair.

The road map of a regular meeting is the agenda. The clerk develops the agenda and presents it to her councillors in advance of the meeting, giving you plenty of time to prepare. The clerk or his or her designate also records the minutes of all council meetings and distributes them to councillors soon after.

Once all the meetings have been held, discussions encouraged, recommendations received, and advice delivered and debated, the only authority which can ratify any decision or action of local government is the majority vote of council. While municipal staff cannot vote, they can play a huge role in the discussions and meetings leading up to a council vote. Municipal staff will have the obligation and responsibility of carrying out the result of that vote.

*The council meeting is a democratic forum, so a simple majority vote of those attending is required to make decisions. There are a limited number of issues outlined in the Act where a two-third majority vote is required. These include granting tax exemptions, key staff appointments, key senior staff suspensions or dismissals and councillor remuneration. The general rule, however, for most issues you will face as councillor is that a simple majority vote of council is required.*

Your participation in the discussion, debate and voting of local government issues is a key responsibility of your role on council. You are accountable to the people who elected you, so take the time to understand the issues and play an active role on council.

Councillors should provide leadership to ensure that the citizens of their community are given the best representation possible. The provision of good leadership means that the councillors will constantly strive to identify the issues before their municipality and to understand what residents want. Councillors should inform citizens on council activities and seek their input so that when decisions are made, they have at least some idea of what the general public is expecting.

## **GO FORTH**



It is vital for you to understand you are in good company as you begin this term of office to serve the citizens of your community. Your administrative staff is there to provide you with the help you may need. There are many other organizations that have in place valuable resource information and support to assist you in becoming as knowledgeable and effective as possible in your new position on council.

Your fellow citizens have given you the privilege of having a direct impact on the quality of life and the economic growth of the community where you live. For the next four years, your responsibility is to fully participate in the workings of council and use your good judgment and personal vision to make a real difference in the lives of everyone living in your community.

There are considerable opportunities for municipalities in Newfoundland and Labrador. We can all move forward in a spirit of cooperation among all levels of government and the communities they serve. Seizing those opportunities begin with you - the committed councillor.

## **APPENDIX A - SAMPLE ORIENTATION GUIDE**

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### **SAMPLE OF INFORMATION THAT MAY BE INCLUDED IN AN ORIENTATION PACKAGE**

#### **SECTION 1 - GENERAL INFORMATION**

- a. Time & Place of Council Meetings
- b. Council Rules & Procedures
- c. Copies of Minutes of Last Five Council Meetings
- d. Brief Outline - Current Issues (Any Issues of Interest to your Council)  
Examples;
  - Snow Clearing Services
  - Economic Development Status
  - Status Report of Ongoing Capital Projects

#### **SECTION 2 - FINANCIAL INFORMATION**

- a. 2005 Budget Report
- b. Latest Financial Statements
- c. Latest Five Year Capital Works Program
- d. 2006 Budget Process

#### **SECTION 3 - ADMINISTRATION**

- a. Organizational Chart & List of Staff Members
- b. Resumes of Senior Management
- c. Pension Plan & Group Insurance Information
- d. Hours of Work
- e. Councillors' Agenda Packages/Correspondence and Method of Distribution
- f. Contact Personnel in Regional Office & Head Office of the Department of Municipal and Provincial Affairs
- g. Labour Relations and Collective Agreement
- h. NLFM Convention/Training for New Councillors
- I. Regional Fire-Union Contact Status

#### **SECTION 4 - LEGISLATION AND COUNCIL REGULATIONS**

- a. Municipalities Act, 1999
- b. Committees of Council
- c. Council and Staff Travel Policy
- d. Urban & Rural Planning Act
- e. Municipal Land Use, Zoning Subdivisions and Development Regulations
- f. Municipal Regulations (Any regulations relevant to your Municipalities)

*Samples;*

- Bicycle Helmet Regulations
- Animal Control Regulations
- Anti-Litter Regulations
- Fence Regulations
- Garbage Regulations
- Occupancy & Maintenance Regulations
- Park & Recreation Regulations
- Snow Clearing Regulations

## **SECTION 5 - ADDITIONAL INFORMATION**

- a. Municipal Map
- b. Municipal Planning Area Map
- c. Municipal Plan
- d. Municipal Emergency Preparedness Plan
- e. Municipal Councillor's Handbook

## APPENDIX B

### HELPFUL ORGANIZATIONS

There are a number of government, quasi-government, and educational organizations which provide various forms of assistance, training, counsel and advice to local governments. Municipal elected officials should be familiar with the following organizations and what they have to offer.

#### DEPARTMENT OF MUNICIPAL AND PROVINCIAL AFFAIRS

The mandate of the Department of Municipal and Provincial Affairs is to bring about a system of local government that efficiently provides needed services throughout the province, at a cost that is affordable to local taxpayers and without contributing unduly to demands for provincial government expenditures.

*Vision Statement: It is the vision of the Department of Municipal and Provincial Affairs that the people of Newfoundland and Labrador enjoy healthy, safe and sustainable communities supported by strong local governments.*

*Mission Statement: The mission of the Department of Municipal and Provincial Affairs is to be progressive, adaptable and professional in working with the people of our province to develop strong, self-reliant local governments capable of leadership and serving the best interests of their communities.*

#### NEWFOUNDLAND AND LABRADOR FEDERATION OF MUNICIPALITIES

The Newfoundland and Labrador Federation of Municipalities (NLFM) is the acknowledged spokesperson for municipal government in the Province of Newfoundland and Labrador. Formed in 1951 as an umbrella organization mandated to represent municipal government interests and as a vehicle for municipal leaders to share information and resources, NLFM represents the interests of all municipal governments in the province. The work of the Federation is guided by a vision Statement and a Statement of General Purpose:

*Vision Statement: The purpose of the NLFM is to assist communities in their endeavor to achieve and sustain strong and effective local government, thereby improving the quality of life for all the people of this province.*

*General Statement of Purpose: To provide programs and services of common interest to the members; to provide a united approach on issues affecting local governance; to advance the ambitions and goals of its member communities by developing a shared common vision of the future; to effectively serve as local government spokesperson and to represent its members in matters affecting them or the welfare of their communities; and to further the establishment of responsible government at the local level.*

#### NEWFOUNDLAND AND LABRADOR ASSOCIATION OF MUNICIPAL ADMINISTRATORS

The Newfoundland and Labrador Association of Municipal Administrators (NLAMA) is dedicated to

preserving and advancing excellence in municipal administration in Newfoundland and Labrador. The Association acts as the acknowledged advisory to the Newfoundland and Labrador Federation of Municipalities and to the Department of Municipal and Provincial Affairs on all matters affecting municipalities.

*The Vision of NLAMA is that Municipal Administrators are recognized as qualified professionals who facilitate the delivery of efficient and accountable local government services.*

*The Mission of NLAMA is to enhance and promote professional management and leadership excellence in local government through professional development, the exchanging of ideas and information, for the continued recognition of NLAMA as an authority on municipal government.*

## **COMBINED COUNCILS OF LABRADOR**

The Combined Councils of Labrador represents the municipal government of the towns throughout Labrador. The organization was formed in 1972 and in the years since has worked with the social and economic issues of Labrador. Labrador is unique and this organization has a great understanding of Labrador's diversity, including its geography and cultures.

## **MUNICIPAL TRAINING AND DEVELOPMENT CORPORATION**

Our vision for the future of municipal training and development is strong, effective and self-sustaining municipal government provided by knowledgeable competent elected officials and qualified professional staff through a partnership process between the Department of Municipal and Provincial Affairs, the Newfoundland and Labrador Federation of Municipalities, the Newfoundland and Labrador Association of Municipal Administrators, and the Combined Councils of Labrador.

**"Municipal Training and Development"** refers to activities that promote the knowledge and skill development of municipal elected and appointed officials by providing learning experiences directly relevant to the municipal context. Learning experiences can include, but are not limited to:

- workshops
- seminars
- courses
- conferences
- information sessions

### Mandate

*The mandate of the **Municipal Training and Development Corporation** is to:*

- *identify training needs of appointed and elected municipal officials*
- *establish training priorities*
- *prepare strategic municipal training plans*



- *ensure that appropriate courses and materials are developed*
- *research and develop training standards*
- *develop and recommend training programs as required*
- *research and develop alternate methods of delivery, as appropriate*
- *develop communication mechanisms to coordinate training with other groups (e.g. Emergency Measures Division and The Office of the Fire Commissioner)*
- *schedule and deliver training courses*
- *conduct course and overall program evaluations*
- *identify, access and manage appropriate resources, including those external to the partnership*
- *undertake any other relevant municipal training and development activity*

## **MUNICIPAL ASSESSMENT AGENCY**

The Municipal Assessment Agency is an independent provider of efficient real property assessment service to taxing authorities in Newfoundland and Labrador. The Agency is governed by a representative Board of Directors, with six elected municipal representatives, two taxpayer representatives, two provincial representatives and a representative of each of the Newfoundland and Labrador Federation of Municipalities and the Newfoundland and Labrador Association of Municipal Administrators.

### *Our Vision*

*Through our partnership with Municipalities, the Municipal Assessment Agency, as a leader in the valuation industry, will provide the highest quality property assessment services at the least cost to our clients while fostering a supportive work environment for our employees.*

### *Mandate*

*The Municipal Assessment Agency is mandated, in accordance with the Assessment Act, to provide an independent and efficient property assessment service to taxing authorities. In support of this service, the Agency may provide assessment, valuation, and related services including consultation, education, and inspection to any level of government, Crown agent, or private sector interest.*

### *Mission*

*It is the mission of the Municipal Assessment Agency to be a cost effective, efficient, independent agency providing fair and understandable property assessment and related services in response to the needs of the people of Newfoundland and Labrador.*

### *Our Values*

*We believe: In a fair, open, transparent, accessible assessment process. Our product must be understandable and defensible. We must operate in an efficient, effective and economical manner. We must be ethical and professional. A supportive, motivational work environment is required for staff to be highly productive and satisfied.*

## **NEWFOUNDLAND AND LABRADOR MUNICIPAL EMPLOYEES BENEFITS INC. (NLMEB INC.)**

NLMEB Inc. offers group benefits and pension plans previously provided by the NLFM "Pension and Benefits" committee. It was incorporated as a separate corporate entity in 1991. It is governed by a six-member Board of Directors - three municipal councillors and three municipal administrators.

### Mandate

*To manage group insurance and Deferred Benefit Pension Programs for Municipal Employees and Councillors.*

### Roles and Responsibilities of the Board of Directors

- *To monitor the group insurance and pension programs to provide flexible and appropriate coverage in a responsible and fiscally prudent manner.*
- *To monitor the service provided by our consultants to ensure the service provided meets the requirements of all participants.*
- *To review the performance of our investors to ensure appropriate returns are obtained to meet current and future pension obligations.*
- *To market and promote both Group Benefit and Pension Programs.*



