

**Rural Municipality of Kinkora
Regular Meeting of Council
November 27, 2023
Minutes**

Present: Deputy Mayor Andrew McCarville, Councilors Harrison Duffy, Amanda Dwyer, Andrew Lawless, and Amanda Noonan

Absent: Mayor Robert Duffy

Meeting Chair: Deputy Mayor Andrew McCarville

Meeting Recorder: CAO Tina Harvey

1. **Call to Order:** 7:00 pm
2. **Reminder of the Code of Conduct and Conflict of Interest bylaws and that the meeting is recorded.**
3. **Review/Additions to the Agenda**
4. **Approval of Agenda**

MOTION: Moved by Amanda Dwyer and seconded by Amanda Noonan *“to approve the agenda for November 27th”*. All in favour. Motion carried.

5. **Public Presentation – The Nice Boys –** Cody Dawson, Colton Dawson, Jarrett Mulligan (written presentation attached)
6. **Review/Approval of Minutes**
Regular Meeting – October 23, 2023

MOTION: Moved by Amanda Noonan and seconded by Harrison Duffy *“to approve the minutes from the regular meeting of October 23, 2023”*. All in favour. Motion carried.

7. **Business Arising from the Minutes**

8. **Correspondence**

- **KRHS Blazer Beef Supper –** Thank you card on behalf of the students and staff of KRHS for council’s donation of \$100 to the Blazer Beef Supper Fundraiser.
- **KRHS –** Letter received from the KRHS Yearbook Committee regarding purchasing an ad in the 2023-24 yearbook. Last year, and in previous years, the municipality purchased a half page ad for \$250. Council agreed to purchase a half page ad once again this year.
- **Amanda McCarville –** Email received thanking council for use of the hall for children’s dance classes this fall. The last class was November 14 and over the 8-week session they

signed up 21 children ages 2-6 from Kinkora and surrounding areas. It was a big success with lots of great feedback.

9. Reports

a) Fire Department – no report

b) KABC – Councilor Harrison Duffy

- The McCardle land purchase is complete
- By the next meeting KABC should be ready to source funding for the new subdivision

c) CAO – written report attached

- **Hall Rental Rates (partial day)** - Council agreed to a half-day hall rental rate of \$200 with the renting group responsible for setup, teardown and cleanup. There will be an additional surcharge of \$200 if these responsibilities are not met.
- **Chairs** – The remaining chairs will be advertised for \$20 each. CAO will reach out to the Association of Rural Community Halls to see if there is any interest from other small halls.
- **2024 Schedule of Meetings** – attached
MOTION: Moved by Harrison Duffy and seconded by Amanda Dwyer “to adopt the regular council meeting schedule for 2024.” All in favour. Motion carried.

d) Finance – Councilor Amanda Noonan – financials attached

- The revenue for Events is low at 38% but it is equivalent to expenses
- Sewer repairs and maintenance is at only 58% but the invoice for the recent sewer flushing hasn't yet been received
- Everything is looking on track

e) Facility - Councilor Harrison Duffy

- The new heat pumps have been installed

f) Sewer and Utility – Councilor Andrew McCarville

- The final round of flushing in the three-year contract has been completed

g) Parks, Recreation and Youth – Councilor Andrew Lawless

- The Jays Care funding application was submitted in October and we are waiting to hear on that
- Colton Dawson (Husky Property Group) agreed to the terms as discussed for the rink maintenance contract
- The rink liner is expected to be in within the next couple of weeks
- Harrison Duffy submitted a bid for Borden's old Zamboni and is willing to sell it to the municipality for what was originally agreed to pay Borden
- Harrison Duffy declared a conflict of interest and left the meeting at 8:14 pm

MOTION: Moved by Andrew Lawless and seconded by Amanda Noonan “to purchase the Zamboni from Harrison Duffy for \$2,500 plus tax.” All in favour. Motion carried.

- Harrison Duffy returned to the meeting at 8:19 pm

MOTION: Moved by Andrew Lawless and seconded by Amanda Dwyer “to approve awarding Husky Property Group the rink maintenance contract.” All in favour. Motion carried.

- Advertise in the newsletter for rink volunteers

h) Events

- Meet Your Neighbour night was well attended with 57 people
- Coca-Cola Holiday Truck – a rep from Coke let us know that this was the best attended of all their stops on PEI to date
- This year’s Christmas Craft Fair was the biggest yet with about 360 paid attendees coming through the door. Great comments from vendors who are already looking to book their tables for next year
- Upcoming events: Christmas Ceilidh with proceeds going to the South Shore Food Share, KELC Holiday Social, Maple Leaf Seniors Christmas Dinner, and the children’s Santa Party.

i) Daycare – Councilor Amanda Dwyer – no report

10. New Business

a) KABC Rezoning Request

- KABC submitted a request to rezone the 2-acre piece of property they recently acquired from the Reeves (Parcel B-1, PID 273424 as noted on the attached diagram) from the current R1 to R4 so it can be consolidated with the existing large R4 lot (Parcel A, PID 1053818)

MOTION: Moved by Amanda Noonan and seconded by Harrison Duffy “to approve KABC’s request to rezone Parcel B-1 of PID 273424 from R1 to R4.” All in favour. Motion carried.

b) Employee Code of Conduct - attached

MOTION: Moved by Amanda Noonan and seconded by Andrew Lawless “to approve the Employee Code of Conduct.” All in favour. Motion carried.

c) Website Hosting/Email Addresses

- The current website was developed by Karen Trivers (Sunrise Web Design). She has since sold her company to Lake Design
- Hosting costs us \$300/year as well as a fee for any work done
- We are looking to use email addresses tied to the kinkorepei.ca domain

- AOR Web Design quoted a rate of \$150/year plus fees for extra work, and can set up Microsoft Outlook emails at \$15/month per user. This would include the Microsoft subscriptions we currently pay for.
- Council agreed to change website hosting services

11. Old Business/Carry Forward Items

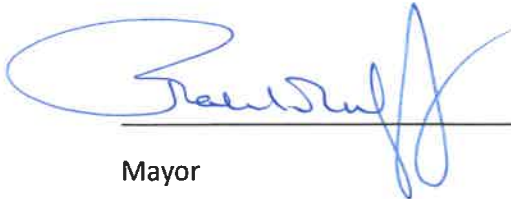
a. Official Plan Review RFP

- The Official Plan and Development Bylaw Review RFP was posted to the PEI Procurement website today and will also be sent out to some firms tomorrow.
- The RFP will close on January 17, 2024 so it can be awarded at the January council meeting
- The date to have the review completed is set for October 25, 2024
- Councillors Amanda Dwyer and Amanda Noonan agreed to sit on a committee for the review and suggested a representative from KABC could also take part

12. Date of Next Meeting – December 18, 2023 at 7 pm

13. Adjournment

MOTION: Moved by Amanda Dwyer and seconded by Amanda Noonan *“to adjourn the meeting at 8:44 pm.”*



Mayor

Dec 20/2023

Date



Chief Administrative Officer

Dec 20/23

Date

CAO's Report – November 27, 2023

- 1) **Celebrate Canada Funding** – The application for 2024 Canada Day funding was submitted by the deadline and included \$11,500 for fireworks. Activities for any projects funded for Canada Day must be completed on July 1st.
- 2) **Hall Expansion Project Update** – The application for an additional \$360,000 from ACOA has been officially approved and a change order issued to put the steel roof back in the specs. Foundation walls are scheduled to be poured tomorrow (Nov 28th) weather permitting.
- 3) **Council Code of Conduct Training** – The Municipal Affairs' mandatory Code of Conduct training module for all council members is now available and council members have until March 31, 2024 to complete this training. Municipal Affairs staff will be sharing with CAOs which council members have completed the training as CAOs are expected to report to Council any council members who have not completed the training.
- 4) **Hall Rental Rates (partial day)** – We currently do not have a partial day rate for hall rental. This may be something council wants to consider for groups who request the hall for a couple of hours for evening meetings etc. They would be responsible for setup, teardown and cleanup.
- 5) **Chairs** – To date we have sold 50 of the old chairs, leaving about 100 remaining. Does council want to reduce the price to potentially clear out the remainder?
- 6) **2024 Schedule of Meetings (attached)** – A schedule of meetings for 2024 is attached and must be adopted by council.
- 7) **Council Resignation** – Christine McKenna has resigned from council effective November 8, 2023. A byelection must be held prior to May 8, 2024.



Tina Harvey



Rural Municipality of Kinkora

45 Anderson Road, PO Box 38

Kinkora, PE COB 1N0

Communityofkinkora@eastlink.ca

(902) 887-2868

2024 Schedule of Regular Council Meetings

Meetings are usually scheduled for the 4th Monday of each month

Monday, January 22, 2024 at 7 pm

Monday, February 26, 2024 at 7 pm

Monday, March 25, 2024 at 7 pm

Monday, April 22, 2024 at 7 pm

Monday, May 27, 2024 at 7 pm

Monday, June 24, 2024 at 7 pm

Monday, July 22, 2024 at 7 pm

Monday, August 26, 2024 at 7 pm

Monday, September 23, 2024 at 7 pm

Monday, October 28, 2024 at 7 pm

Monday, November 25, 2024 at 7 pm

**Monday, December 16, 2024 at 7 pm
(one week early)**

RURAL MUNICIPALITY OF KINKORA

SUMMARY OF OPERATING REVENUE AND EXPENSES

Figures up to November 24, 2023

MUNICIPALITY OPERATING REVENUE	2023-24 Budget	To Date	%
Assessable municipal property taxes	\$ 138,377.94	\$ 100,072.00	72
Equalization Grant	\$ 66,354.46	\$ 44,236.32	67
Municipal Capital Expenditure Grant (MCEG)	\$ 60,000.00	\$ 8,164.24	14
Events - Regular and Special	\$ 79,370.00	\$ 29,807.55	38
Multiplex Board Signage	\$ 8,000.00	\$ -	0
Early Learning Center Revenue	\$ 784,000.00	\$ 557,258.57	71
Other Income (Donations, permits, etc.)	\$ 1,500.00	\$ 1,400.00	93
Total	\$ 1,137,602.40	\$ 740,938.68	65

MUNICIPALITY OPERATING EXPENSES	2023-24 Budget	To Date	%
Administration	\$ 177,900.00	\$ 88,887.21	50
Facility	\$ 94,500.00	\$ 42,044.97	44
Events	\$ 53,100.00	\$ 16,755.81	32
Parks and Recreation	\$ 20,000.00	\$ 5,610.02	28
Early Learning Center	\$ 784,000.00	\$ 506,360.20	65
Reserve Funds	\$ 3,500.00	\$ 3,500.00	100
Total	\$ 1,133,000.00	\$ 663,158.21	59

Operating Surplus	\$ 4,602.40	\$ 77,780.47	
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SEWER UTILITY OPERATING REVENUE	2023-24 Budget	To Date	%
Flat Rate Sewer Fees	\$ 83,600.00	\$ 85,370.00	102
Total	\$ 83,600.00	\$ 85,370.00	102

SEWER UTILITY OPERATING EXPENSES	2023-24 Budget	To Date	%
Total Operating Expenses	\$ 83,600.00	\$ 48,095.51	58

Sewer Operating Surplus	\$ -	\$ 37,274.49	
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MUNICIPALITY OPERATING EXPENSES	2023-24 Budget	To Date	%
Administration			
Advertising	\$ 5,000.00	\$ 1,810.35	36
Donations	\$ 2,000.00	\$ 1,100.00	55
Dues/Grants	\$ 1,000.00	\$ 894.13	89
Accounting Fees	\$ 10,000.00	\$ 4,573.82	46
Insurance	\$ 10,000.00	\$ 6,072.14	61
Interest on Loans	\$ 20,000.00	\$ 8,046.04	40
Office Supplies	\$ 3,000.00	\$ 1,221.51	41
POS Fees	\$ 500.00	\$ 47.92	10
Professional Fees	\$ 10,000.00	\$ 8,338.77	83
Library	\$ 300.00	\$ 300.00	100
Travel	\$ 1,000.00	\$ -	0
Wages and Benefits	\$ 38,000.00	\$ 21,263.30	56
Community Programs (Black Fly)	\$ 8,000.00	\$ -	0
Bank Charges	\$ 800.00	\$ 465.35	58
Honorariums	\$ 3,300.00	\$ -	0
Training	\$ 2,000.00	\$ -	0
Internet and Phone	\$ 2,500.00	\$ 1,233.89	49
Website	\$ 1,000.00	\$ -	0
Fire Dues	\$ 28,000.00	\$ 20,077.04	72
Accounting Software	\$ 1,500.00	\$ 636.02	42
Loan Repayment	\$ 30,000.00	\$ 12,806.93	43
Total	\$ 177,900.00	\$ 88,887.21	50
Facility and Public Property			
Property Tax	\$ 2,500.00	\$ 1,471.14	59
Snow Removal	\$ 5,000.00	\$ -	0
Repairs and Maintenance	\$ 30,000.00	\$ 15,428.14	51
Utilities	\$ 26,000.00	\$ 9,690.20	37
Landscaping	\$ 6,000.00	\$ 4,554.01	76
Cleaning and Supplies	\$ 15,000.00	\$ 6,357.73	42
Wages	\$ 10,000.00	\$ 4,543.75	45
Total	\$ 94,500.00	\$ 42,044.97	44
Events			
Bar	\$ 3,000.00	\$ 2,081.88	69
Bingo	\$ -	\$ -	0
Kitchen/Canteen	\$ 2,000.00	\$ 741.23	37
Special Events	\$ 11,600.00	\$ 6,254.45	54
Bartenders	\$ 2,000.00	\$ 725.00	36
Security	\$ 2,000.00	\$ 286.00	14
Raffle Fundraiser	\$ 32,500.00	\$ 6,667.25	21
Total	\$ 53,100.00	\$ 16,755.81	32

MUNICIPALITY OPERATING EXPENSES	2023-24 Budget	To Date	%
Parks and Recreation			
Supplies (Ballfield)	\$ 15,000.00	\$ 5,610.02	37
Rink	\$ 5,000.00	\$ -	0
Total	\$ 20,000.00	\$ 5,610.02	28

Early Learning Center			
Administration	\$ 711,500.00	\$ 468,416.49	66
Facility Costs	\$ 45,000.00	\$ 24,018.76	53
Food	\$ 21,000.00	\$ 12,402.65	59
Supplies	\$ 6,500.00	\$ 1,522.30	23
Total	\$ 784,000.00	\$ 506,360.20	65

SEWER UTILITY OPERATING EXPENSES	2023-24 Budget	To Date	%
Administration	\$ 16,000.00	\$ 13,337.30	83
Bank Fees	\$ 300.00	\$ 136.50	46
Accounting Fees	\$ 5,000.00	\$ 2,286.91	46
Interest on Debt	\$ 7,000.00	\$ 4,668.68	67
Debit Machine	\$ 750.00	\$ 313.90	42
Repairs and Maintenance	\$ 27,700.00	\$ 9,820.73	35
Supplies	\$ 4,000.00	\$ 2,237.41	56
Internet and Phone	\$ 850.00	\$ 586.73	69
Electricity	\$ 2,000.00	\$ 1,058.22	53
Loan Repayment	\$ 20,000.00	\$ 13,649.13	68
Total	\$ 83,600.00	\$ 48,095.51	58

Community/Fire/Sewer Loan Payments November 2023

Date	Purpose	Principal	Interest	Total	Balance
01-Nov-23	Firehall Renov	\$ 728.64	\$ 20.63	\$ 749.27	\$ 11,855.37
06-Nov-23	Complex Improvement	\$ 334.42	\$ 182.14	\$ 516.56	\$ 65,651.83
06-Nov-23	Firetruck Loan	\$ 2,814.33	\$ 123.22	\$ 2,937.55	\$ 57,636.68
10-Nov-23	Upgrade to Kinkora Place	\$ 848.57	\$ 368.52	\$ 1,217.09	\$ 111,852.51
14-Nov-23	Sidewalk/Sewer	\$ 779.84	\$ 1,468.98	\$ 2,248.82	\$ 263,550.76
	Community - November	\$ 1,962.83	\$ 2,019.64	\$ 3,982.47	\$ 441,055.10
	Fire Department - November	\$ 3,542.97	\$ 143.85	\$ 3,686.82	\$ 69,492.05

To: Municipality of Kinkora

From : Kinkora and Area Business Commission

November 13, 2023

Rezoning request:

K A B C recently purchased a 2 acre parcel of property from Sharon and Mary Reeves (Parcel "B" noted in attached diagram)

PID # 273424 purchase date July 04,2023.

The 2 acre parcel in question is zoned R1. KABC is requesting permission to have this parcel rezoned from R1 to R4. This parcel is to be attached to P ID # 1053818 Parcel "A" which is presently owned by K A B C and zoned R 4.

I have attached a copy of the survey plan in question. Please advice K A B C of any further information you may require.

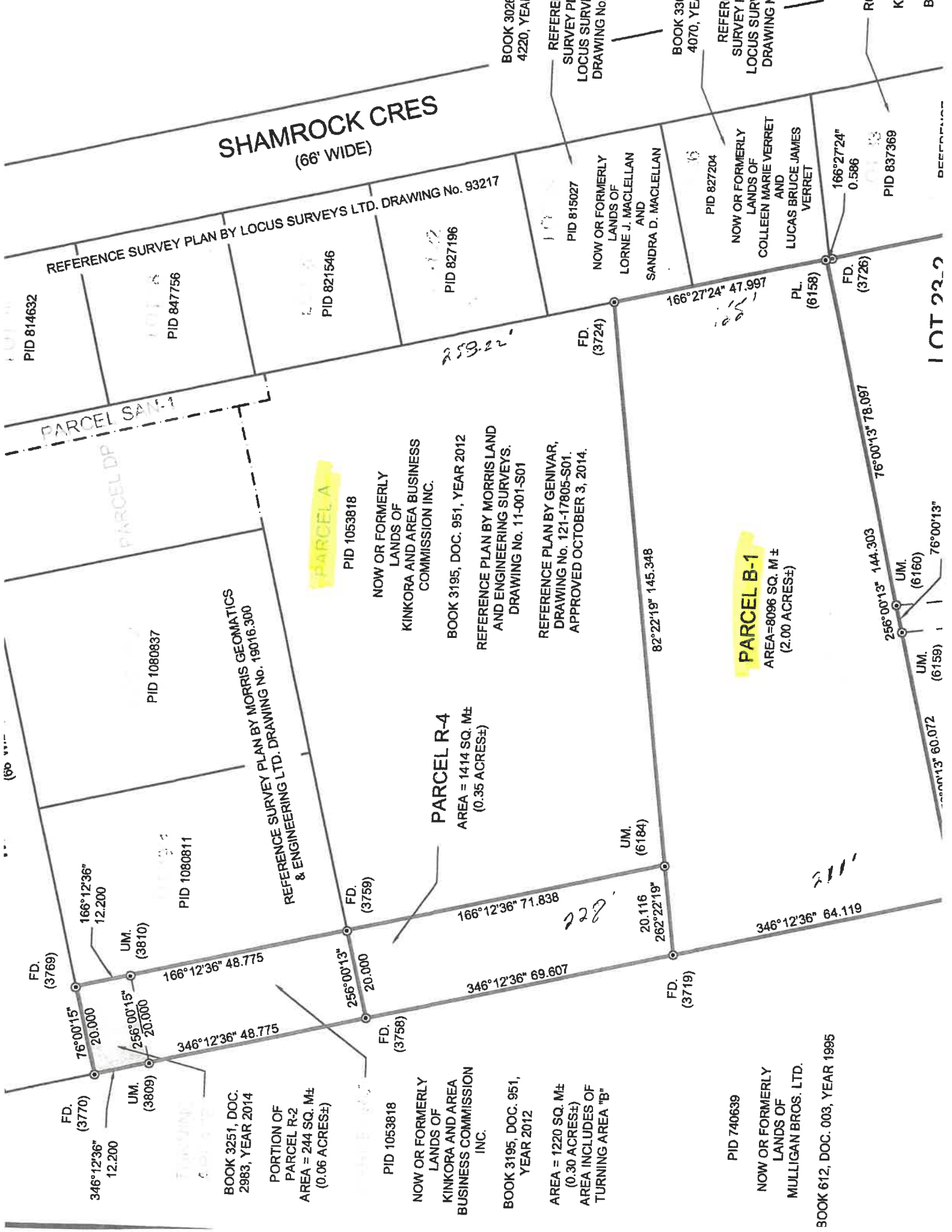
Thank You

Leonard J Keefe/K A B C

Phone # 902 432 0028

E mail ljkeefe@eastlink.ca

P O Box 51 Kinkora P E I COB1N0



SHAMROCK CRES
(66' WIDE)

REFERENCE SURVEY PLAN BY LOCUS SURVEYS LTD. DRAWING No. 93217

PARCEL SA-1
PARCEL DP

PARCEL A

PARCEL B-1

PARCEL R-4

PID 814632

PID 847756

PID 821546

PID 827196

PID 815027

PID 827204

PID 1080837

PID 1080811

PID 1053818

PID 740639

FD. (3769)

FD. (3770)

UM. (3810)

UM. (3809)

FD. (3759)

FD. (3758)

PID 1053818

UM. (6184)

UM. (6184)

FD. (3719)

PL. (6158)

FD. (3726)

UM. (6160)

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346°12'36" 12.200

166°12'36" 12.200

256°00'15" 20.000

256°00'15" 20.000

166°12'36" 48.775

166°12'36" 48.775

256°00'13" 20.000

256°00'13" 20.000

346°12'36" 69.607

346°12'36" 69.607

166°12'36" 71.838

166°12'36" 71.838

82°22'19" 145.348

82°22'19" 145.348

76°00'13" 78.097

76°00'13" 78.097

256°00'13" 144.303

256°00'13" 144.303

76°00'13" 78.097

76°00'13" 78.097

166°27'24" 47.997

166°27'24" 47.997

166°27'24" 0.586

166°27'24" 0.586

PID 837369

PID 837369

BOOK 3251, DOC. 2983, YEAR 2014

PORTION OF PARCEL R-2
AREA = 244 SQ. M±
(0.06 ACRES±)

NOW OR FORMERLY LANDS OF KINKORA AND AREA BUSINESS COMMISSION INC.

BOOK 3195, DOC. 951, YEAR 2012

AREA = 1220 SQ. M±
(0.30 ACRES±)
AREA INCLUDES OF TURNING AREA "B"

NOW OR FORMERLY LANDS OF MULLIGAN BROS. LTD.

BOOK 612, DOC. 003, YEAR 1995

NOW OR FORMERLY LANDS OF KINKORA AND AREA BUSINESS COMMISSION INC.

BOOK 3195, DOC. 951, YEAR 2012
REFERENCE PLAN BY MORRIS LAND AND ENGINEERING SURVEYS.
DRAWING No. 11-001-S01

REFERENCE PLAN BY GENIVAR, DRAWING No. 121-17805-S01.
APPROVED OCTOBER 3, 2014.

REFERENCE PLAN BY MORRIS LAND AND ENGINEERING SURVEYS.
DRAWING No. 11-001-S01

NOW OR FORMERLY LANDS OF LORNE J. MACLELLAN AND SANDRA D. MACLELLAN

NOW OR FORMERLY LANDS OF COLLEEN MARIE VERRET AND LUCAS BRUCE JAMES VERRET

BOOK 3026 4220, YEAR

REFEREY SURVEY PL LOCUS SURVE DRAWING No.

BOOK 33E 4070, YE

REFEREY SURVEY F LOCUS SURV DRAWING N

RC KI B

LOT 22-2



Rural Municipality of Kinkora

45 Anderson Road, PO Box 38
Kinkora, PE COB 1N0
communityofkinkora@eastlink.ca
(902) 887-2868

Employee Code of Conduct

BACKGROUND

Acceptable behavior of a municipal employee differs from that of employees in the private sector as municipal employees work for a public institution ultimately accountable to the public. Given this, it is important to have a distinct code of conduct in place for municipal employees to ensure their work is done with integrity, to ensure an appropriate level of service within budget constraints, to manage public perceptions, to avoid favoritism, to protect confidential information, and to avoid personal gain from the use of position, while protecting the rights of individual municipal employees and residents within the municipality.

PURPOSE

This policy is to assist municipal employees in navigating the ethical implications of the decisions they make on a daily basis. These guidelines are additional to any requirements at law and do not excuse any employee from complying with any common law or statute law.

DEFINITIONS

A. *Municipal Assets* include all property of the Municipality including equipment, financial assets, land, buildings and other structures, vehicles, materials, computers, electronic mail, internet services, information, and work time.

B. *Conflict of Interest* arises when an employee's personal interests, due to an outside business activity that they or their family are involved with, are in conflict with their duties as a municipal employee.

C. *Council* is the Rural Municipality of Kinkora's body of elected officials, as set out in PEI's Municipal Government Act.

D. *Councillors* are elected officials of the Rural Municipality of Kinkora Council (including the Mayor), as set out in PEI's Municipal Government Act.

E. *Family* of a municipal employee includes the employee's spouse, common-law partner, parent, grandparent, grandchild, guardian, parent of current spouse, child or ward, brother, sister, niece, nephew, brother-in-law, sister-in-law, fiancé, or a related dependent of the employee.

F. *Employee* is a person who is employed by the Rural Municipality of Kinkora. Councillors are not employees.

G. *Political Activity* includes, but is not limited to, being a member of a political party, participating in a political party's activities, soliciting donations for a political party, and running for political office.

H. Municipality means the Rural Municipality of Kinkora.

POLICY

1. GENERAL PERSONAL CONDUCT

1.1 Employees shall perform their duties with integrity, honesty, respect, and in a spirit of public service.

1.2 Employees shall show respect and accountability to each other, Councillors, and the public at all times.

1.3 Employees shall be polite and courteous at all times and shall refrain from the use of inappropriate and lewd language (including scenarios that may be considered and/or perceived to be in jest).

1.4 Employees shall treat others equitably and fairly.

1.5 Employees shall recognize and value the diversity among workgroup members, customers, and citizens.

1.6 Employees shall accept responsibility for their actions, behaviour, and impact on others.

1.7 Employees shall take action in a prompt, impartial, and confidential manner when issues concerning lack of respect in the workplace come to their attention.

1.8 Employees shall ensure that no person suffers reprisal as a result of making a complaint, or for providing information in support of conflict resolution.

1.9 Employees shall contact one of the following resources for assistance in effectively dealing with conflict: immediate supervisor, the Chief Administrative Officer, or the councillor responsible for the Human Resources portfolio.

1.10 Employees shall immediately inform a supervisor, the Chief Administrative Officer, or the councillor responsible for the Human Resources portfolio of incidents of threat or violence.

2. WORK TIME AND MUNICIPAL ASSETS

2.1. Employees shall use Municipal assets only for the performance of Municipal duties.

2.2. Employees shall safeguard Municipal assets.

2.3. Employees shall avoid inappropriate uses of Municipal assets.

3. HANDLING OF INFORMATION

3.1 Employees are privy to a great deal of confidential information about Municipal residents, businesses, other levels of government, other organizations, and individuals. As such, employees must handle confidential information in accordance with PEI's Freedom of Information and Protection of Privacy Act.

4. PUBLIC STATEMENTS

4.1 The Mayor is the Chief Spokesperson for the Municipality.

4.2 Employees are to advise the CAO of any queries or questions posed to them by the media.

4.3 No employee may speak to the media concerning any issue pertaining to the Municipality without permission from the CAO.

4.4 Employees must not disclose confidential information to the public and/or media, in accordance with PEI's Freedom of Information and Protection of Privacy Act.

4.5 Employees must not post anything on social media that would place the Municipality in a negative light.

4.6 Employees must not make negative statements about Municipal policy to the media nor post statements about Municipal policy on any social media.

5. APPEARING BEFORE TOWN COUNCIL

5.1 From time to time, the CAO may call upon individual employees to appear at Council Meetings to provide Council with information it needs to make a decision.

5.2 Employees who wish to appear before Council to speak as residents must consult with the CAO and be in accordance with the Municipality's current Procedural Bylaw prior to doing so.

6. POLITICAL ACTIVITY

6.1 Under the Canadian Charter of Rights and Freedoms, an individual has the right to be a member of a political party (Canadian Charter of Rights and Freedoms, 2. Fundamental Freedoms (d) Freedom of Association).

6.2 Part of the nature of a municipal employee's work is that it is apolitical. Each employee must take care that their participation in a political party's activities does not affect their apolitical objectivity in their work at the Municipality.

6.3 If an employee solicits donations for a political party, they must not do so on Municipal property, nor during work time, nor shall they represent themselves as a Municipal employee while soliciting donations.

6.4 If an employee wishes to run for political office, they must notify the CAO in writing.

6.5 The CAO will grant out-of-scope employees who wish to run for political office a leave of absence without pay, for the period of the election campaign.

7. CONSEQUENCES OF NON-COMPLIANCE

7.1 Any breach of this policy will be treated as misconduct.

7.2 The Municipality will take corrective action in response to any infraction or transgression of this policy.

7.3 Misconduct will be reviewed and may result in disciplinary action being taken against the municipal employee, up to and including:

- dismissal from employment,
- seeking full financial restitution,

- commencement of civil action,
- criminal prosecution,
- instructing the municipal employee to divest themselves of an outside interest,
- transferring the municipal employee to another position, or
- a combination of the above.

8. RESPONSIBILITIES

8.1 Employees are responsible for:

- Signing a document acknowledging receipt of the Code of Conduct.
- Reading and complying with the Code of Conduct and requesting clarification from their supervisor as required.
- Requesting clarification about any potential violation of the Code of Conduct, including conflict of interest, and obtaining approval from their supervisor as required.
- Disclosing in writing to the CAO any current personal, business, commercial, or financial interest which may result in a violation of the Code of Conduct.
- Reporting suspected violations of the Code of Conduct to their supervisor(s) or the CAO.
- Co-operating with those performing an investigation.

8.2 Supervisors are responsible for:

- Assisting employees in the administration, interpretation, and application of the Code of Conduct.
- Reporting any alleged violations of the Code of Conduct to their immediate supervisor or the CAO.
- Each employee receiving a copy of the Code of Conduct.
- The consistent administration of the Code of Conduct within their department.
- Documenting and retaining any major approvals, decisions, or directions given to employees in relation to the Code of Conduct.
 - Reporting any significant alleged violations of the Code of Conduct to the CAO.
 - Investigating any routine alleged violations of the Code of Conduct.
 - Reporting status and results of investigations to the CAO.

8.3 The CAO is responsible for:

- The consistent administration and communication of the Code of Conduct by departments.

9. VIOLATION REPORTING

9.1 When a violation is reported, the identity of the complainant will be kept confidential, unless otherwise stipulated in the Freedom of Information and Protection of Privacy Act.

9.2 If an employee who has in good faith reported a potential violation of the Code of Conduct is subject to retaliatory action, the employee should report the action to their supervisor(s) or the CAO.

9.3 Submitting a false report will be subject to disciplinary action.

9.4 Employees violating the Code of Conduct will be subject to disciplinary action in accordance with Municipal personnel policies. They may also be prosecuted criminally and may also be subject to civil proceedings.

10. CHIEF ADMINISTRATIVE OFFICER - FORMAL COMPLAINTS (GENERAL, BULLYING, HARASSMENT OR VIOLENCE IN THE WORKPLACE)

10.1 Any employee within the Rural Municipality of Kinkora who has identified or witnessed conduct by the CAO that they reasonably believe, in good faith, is in contravention of this Code of Conduct Policy, the Workplace Violence Prevention Policy, or the Workplace Harassment Prevention Policy, may make a formal complaint, which shall follow the following procedure:

- The complaint must be in writing, setting out reasonable and probable grounds for the allegation the CAO has contravened this Code of Ethics and Conduct, the Workplace Violence Prevention Policy, or the Workplace Harassment Prevention Policy, including a description of the facts giving rise to the allegations.
- The complainant must sign and date the complaint.
- The complainant must submit the complaint to the councillor responsible for the Human Resources portfolio.

10.2 Upon receipt of the complaint, the councillor responsible for the Human Resources portfolio will immediately notify the Mayor, who will inform the rest of Council.

10.3 If Council determines that the complaint is frivolous, vexatious, or that there are no grounds or insufficient grounds to conduct an investigation, they will advise the councillor responsible for the Human Resources portfolio to promptly advise the complainant of this decision.

10.4 If Council determines that the complaint warrants an investigation:

- Council shall take such additional steps as they feel are appropriate, which may include seeking legal action or hiring a third-party consultant to complete an investigation. All proceedings of the investigation shall be considered confidential information.

10.5 Upon receipt of the investigation report, Council shall have a Closed Session discussion to determine if the CAO is in violation and any necessary consequences. All information is considered confidential.

10.6 Before Council makes any determination, the CAO shall be given:

- The right to seek and obtain legal representation, at their own cost and expense.

- The opportunity to address Council.

10.7 Full procedural fairness, including sufficient opportunity and time to effectively respond to the allegations forming the basis of the complaint, and the opportunity to present evidence, including witnesses, to support their position.

10.8 If Council determines that the CAO has not breached a policy, Council shall promptly inform the CAO and the complainant of this determination in writing.

10.9 If Council determines that the CAO has breached a policy, Council shall promptly inform the CAO and the complainant of this determination in writing.

10.10 Within 5 days of determining the CAO has breached a policy, Council will meet with the CAO and review the findings and consequences.

11. CHIEF ADMINISTRATIVE OFFICER - SANCTIONS

11.1 Upon finding that the CAO has failed to adhere to this Code of Conduct Policy, the Workplace Violence Prevention Policy, or the Workplace Harassment Prevention Policy, Council may impose any one or more of the following sanctions on the CAO:

- A letter of reprimand.
- Have the CAO issue a letter of apology.
- Requirement to attend such training as Council deems necessary.
- Any other sanction that Council deems reasonable and appropriate in the circumstances.
- Suspension of position.
- Termination of position.

11.2 Any sanction under this Code of Conduct Policy shall:

- Be fair and in keeping with the severity of the infraction, giving the due regard to the CAO's previous conduct.
- Be fully compliant with the PEI Municipal Government Act.

12. MISCELLANEOUS

12.1. The CAO may designate someone to implement this policy or any part or parts of this policy. However, the responsibility for implementing this policy lies chiefly with the CAO.

Employee Signature

Date

Chief Administrative Officer Signature

Date