



2022 District of Lantzville Election Candidate Information Session

*We respectfully acknowledge that we are within the
traditional territory of the Snaw-naw-as, Nanoose First Nation*

7:00 pm September 1, 2022

Council Chamber, 7192 Lantzville Rd

Important Notice

This information is provided for your convenience as an overview, reference and introduction only and does not cover every aspect of local elections. This presentation is not legal advice. As you research requirements for running for office, you should rely upon the applicable statutes, such as the Community Charter, Local Government Act, Local Election Campaign Financing Act and District of Lantzville bylaws. Before making decisions, confirm with the authority having jurisdiction, e.g. Elections BC, Ministry of Municipal Affairs, District of Lantzville, and reference their guides.

Are you interested in filling one of these seats on your municipal council?



Introduction

- Trudy Coates, Chief Election Officer (CEO) and Director of Corporate Administration (250.933.8082)
- Nelda Richardson, Deputy Chief Election Officer (DCEO) and Deputy Director of Corporate Administration (250.933.8081)
- Email: vote@lantzville.ca

Time to talk about your Council seat!

Introduction

PRESENTATION

- Will move quickly as lots to cover
- OK to ask for clarification if you don't understand
- Q&A at the end
- Can't get into huge detail tonight but call Nelda or Trudy if Election ?
- Other resources available too
- No discussion of local 'issues' – save it for
- the campaign!



Presentation Purpose – a chance to talk about



**Election
process**



**Candidate
responsibilities**




**Council member
responsibilities**



**Local
Government**



**District of
Lantzville**



**Your
questions**

2022 General Local Election Process

- For the office of Mayor or Councillor to serve a four-year term on a Council of five
- Regulated by the Province (*Community Charter, Local Government Act, Local Election Campaign Financing Act*) and by the District of Lantzville (Election and Assent Voting Bylaw No. 160, 2018, as amended, Council Procedure Bylaw)
- General Voting Day is October 15, 2022; the next election will be October 17, **2026**

Election BC's Role (EBC)



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- EBC administers campaign financing, disclosure, and election advertising (candidate & third party) rules under *Local Elections Campaign Financing Act* (LECFA)
- Complex rules on contribution limits, incl. *only* from BC resident who is Cdn citizen or permanent resident (no organizations), maximum \$1,200, no anonymous >\$50, not tax deductible
- EBC will contact you after your nomination papers have been filed
- Visit elections.bc.ca
- Read the Guide to Local Elections Campaign Financing in BC by EBC
- EBC maintains the resident voter list for voter registration and information updates

Questions?

Call EBC 1.800.661.8683

Electoral.finance@elections.bc.ca

E.g., you **MUST**:

- Appoint a financial agent – or designate yourself, the candidate
- Open a **Campaign Account** for all election funds that will not be used for any purpose other than the election campaign
- Start recording expenses from January 1, 2022
- Record all contributions regardless of when received (incl pre-election year)
- Abide by the **campaign expense limits** as per LECFA during Campaign Period (Sept 17th – Oct 15th)
 - Mayor: **\$10,797.83**
 - Councillor: **\$5,398.92**
- **All** candidates (whether elected or not) must file campaign financing disclosure statement directly with **EBC within 90 days after General Voting Day** (by January 13, 2023)
PENALTIES: Lose seat, monetary, jail!

Election Advertising

- See LECFA & the Guide by Elections BC for election advertising information – also complex - Refer all questions to Elections BC
- Third Party Advertisers must register with Elections BC – See Guide to Supporting a Candidate – available online at www.gov.bc.ca/localelections (Candidates must not sponsor advertising with a Third Party Advertiser/nor can Third Party on behalf of Candidate)
- **Elections BC is responsible for enforcement of advertising provisions under LECFA** e.g., most advertising must have sponsorship info/aka authorization statement: financial agent name & phone number, address or email address – clear & readable – if not, there is a monetary penalty
- Information on the District of Lantzville sign regulations, along with Ministry of Transportation & Infrastructure requirements re highway signage, were included in the Candidate Package
- **District of Lantzville enforces signage limits within 100 m of Voting Place on Voting Days, and on District property at all times**
- Signs only permitted during Campaign Period (Starts September 17th)
Remove by October 22nd (*per Election & Assent Voting Bylaw No. 160*)

Candidate Qualifications

- a Canadian citizen
- 18 years of age or more on General Voting Day (Saturday, October 15, 2022)
- living in BC for at least 6 months immediately prior to being nominated (Tuesday, March 8, 2022 is the last day to meet the 6-month residency requirement for candidates); and
- not disqualified under the LGA or another enactment from voting in an election in BC or from being nominated for, being elected to or holding office or otherwise disqualified by law.

NOMINATED by a minimum of TWO Electors (Resident or Non-resident Property Electors) of the District of Lantzville

NOTE: There is no nomination fee or deposit required (per Bylaw)

There is no requirement for a candidate to be a resident or own property in the municipality (per *Local Government Act*).

Nomination Process...

- Pick up a package at Municipal Hall
- Fill out the forms, and make your solemn declaration in front of the Chief Election Officer OR a Commissioner (lawyer or notary), BEFORE signing
- We recommend calling ahead to the CEO [250.933.8082] or Deputy CEO [250.933.8081] for an appointment
- If you swear before a Commissioner, you can fax or email to the CEO BUT the originals must be delivered to the CEO before 4:00 pm on Friday, September 16, 2022
- **Nomination papers MUST BE FILED by 4:00 pm on Friday, September 9, 2022; late filing is not allowed**

Nomination Process...

- Form C2 and Statement of Financial Disclosure will be available for public inspection at the Municipal Hall until 30 days after declaration of election results
- The CEO submits a copy of C2 (page 3), C3 Other Information Provided by Candidate and C4 Financial Agent Appointment to Elections BC
- The CEO updates CivicInfo website and District of Lantzville websites, and the public inspection binder, as candidates file their papers.
- Visit <http://bc.localelections.ca> to view information provided to CivicInfo, including nominations filed and election results.

Nomination Process...

- The CEO accepts all nominations which are completed and submitted on time, must confirm that the candidate is not on the Province's list of disqualified candidates, or, if on the disqualified list, the CEO must commence a challenge
- The Candidate is responsible to ensure the documents are true and accurate
- The CEO declares candidates at 4:01 pm Friday September 9, 2022, after Nomination Period closes
- Nominations may be challenged by an elector, another nominee, or by the CEO by filing with the Provincial Court by 4:00 pm Tuesday, September 13, 2022

Election by Voting

- At 4:00 pm on Monday, September 19th the CEO declares Election by Voting or Candidates Elected by Acclamation

- Voting Opportunities will include:

8:00 am – 8:00 pm for

Advance Voting – Wednesday October 5th & 12th

at Costin Hall, 7232 Lantzville Road

General Voting Day – Saturday October 15th

at Costin Hall, 7232 Lantzville Road

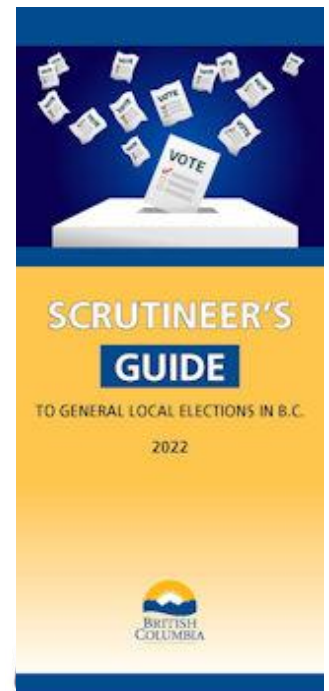
Vote by Mail – ballots must be delivered to the CEO BEFORE 8:00 pm Saturday October 15th



Voting Day Do's and Don'ts...

The Do's

- Ensure your campaign signs within 100 metres of the Voting Place are removed for Voting Days (incl car signs)
- Vote – but only once...and preferably at Advance Voting
- After you vote...immediately leave the Voting Place and speak to no one until you are at least 100 m away from the Voting Place
- Obey election official directions
- You may have your Official Agent or one* Scrutineer at the Voting Place during Voting to observe (*two if two vote tabulators in use)
- If you choose to appoint scrutineers, encourage your Scrutineer to visit gov.bc.ca to read the Scrutineers Guide to General Local Elections in BC



Voting Day Do's and Don'ts...

The Don'ts

- Don't speak with the public within 100 metres of the Voting Place on Voting Days
- Don't allow supporters to display signs within 100 metres of the Voting Place on Voting Days
- Don't wear, or allow your supporters to wear, buttons or pins or have signs on cars when coming to vote
- Don't use cell phones, cameras or recording devices in the Voting Place (election officials only)
- Don't break any Elections BC rules (advertising, campaigning, etc.)

Scrutineers...

SCRUTINEERS – *May be appointed (in writing) by a candidate (or their official agent if delegated authority) to represent the candidate by observing the conduct of voting and counting proceedings for the election.*

- If you decide to have a Scrutineer, provide a copy of the appointment to the CEO as soon as practicable
- Each Scrutineer must make a solemn declaration to preserve the secrecy of the ballot and not interfere with an elector marking a ballot – have your Scrutineer visit the CEO at Municipal Hall to complete their declaration *BEFORE* Voting Day
- Scrutineers must carry a copy of the appointment form and sign-in with the CEO on arrival and departure
(A minimum shift length of 2 hours has been established by the CEO)
- Review role with your Scrutineer – no speaking with electors or election officials, except: to ask CEO a procedural question OR

Scrutineers...

- To advise Election Official that the Scrutineer wishes to Challenge Elector's Right to Vote – this must be stated *before* Elector receives ballot, can only be done on basis that Elector is not entitled to vote OR has accepted an inducement (vote buying) – Challenge will generate a process with the CEO, form by Scrutineer & Elector and ruling by the CEO evidence on entitlement satisfactory OR declaration by Elector
- If communication between Scrutineers is necessary on shift change, ensure communications are brief, quiet and discreet
- Scrutineers must refrain from taking breaks in the Voting Place entrances and must be self-sufficient for food and drink – there is no access to the kitchen or breakroom election officials only area
- Scrutineers must stay in the areas designated, i.e., at the assigned seating area, no standing outside at entrance, etc.
- Scrutineers will be given a generic 'Scrutineer' tag and must not be identifiable to a specific candidate, no branded clothes, etc.

Voting Day – After Close of Voting

- Automated Voting Machines = accurate, reliable, and early preliminary results
- You plus up to three* candidate representatives (official agent or scrutineers) may also be present to observe the count at the close of voting (one representative per voting machine – advance, mail ballot and general voting day machines)

****Please note that, should less than 25 mail ballots be received, these may be combined with the general voting day ballots. In this case, only two voting machines will be used and only two candidate representatives may be present.***

- Voting Place doors locked at 8:00 pm Oct 15th – candidate with reps will be allowed to enter after last voter has left eta 8:05 then locked again
- Preliminary Results will be posted on lantzville.ca, <http://bc.localections.ca> and the Municipal Hall bulletin board

After October 15th

- Final Determination of results starts at 10:00 am on Monday October 17th at Municipal Hall, 2nd Floor
(Candidates *only* may choose to observe)
- The CEO must declare Official Election Results before 4:00 pm on Wednesday, October 19th
- The last meeting of the 2018-2022 Council is scheduled for 6:00 pm on Wednesday, October 26th
- Councils are continuing bodies – the work continues until the next Council is sworn in and its term starts
- The first meeting for the Council-elect, the ‘Inaugural Meeting’, will be held at 6:00 pm on Wednesday, November 2, 2022 at Costin Hall, 7232 Lantzville Road, Lantzville, BC

OB LITI PRIVATORŪ
PVBLICACVRATE

“Obliti Privatorum – Publica Curata”

- Translates to: “Forget private interests – look after the public causes”
- Photo taken in the Rector’s Palace, Dubrovnik (a UNESCO Heritage Site), Croatia
- Dubrovnik’s 15th century ruler’s palace
- The elected ruler, the Rector, held office for one month on a revolving basis and was not allowed to leave during his term!

An elected official...

- Contributes to the betterment of their local government
- Provides leadership
- Serves and acts on behalf of all members of the community

Why run...

- Your community needs good people
- It is a rewarding but sometimes a challenging experience
- Local government is the most accessible level of government
- Previous experience not required
- Great learning opportunity
- Your family supports your decision

<https://www.youtube.com/watch?v=PkugVjEH3U>

Characteristics of an Effective Locally Elected Official

- Ensure you are running for more than one reason
- Understand what is within the mandate of local government...of Council...and what is not
- Recognize one member of Council has no authority – except to influence Council to engage a majority support
- EXCEPT if it is an issue for which you have a Conflict of Interest, in which case you are prohibited from influencing Council members before, during or after a vote from which you have declared a conflict, must leave the Council Chamber and cannot vote
- What is the mandate of local government?

How Do Local Governments Get Their Authority?

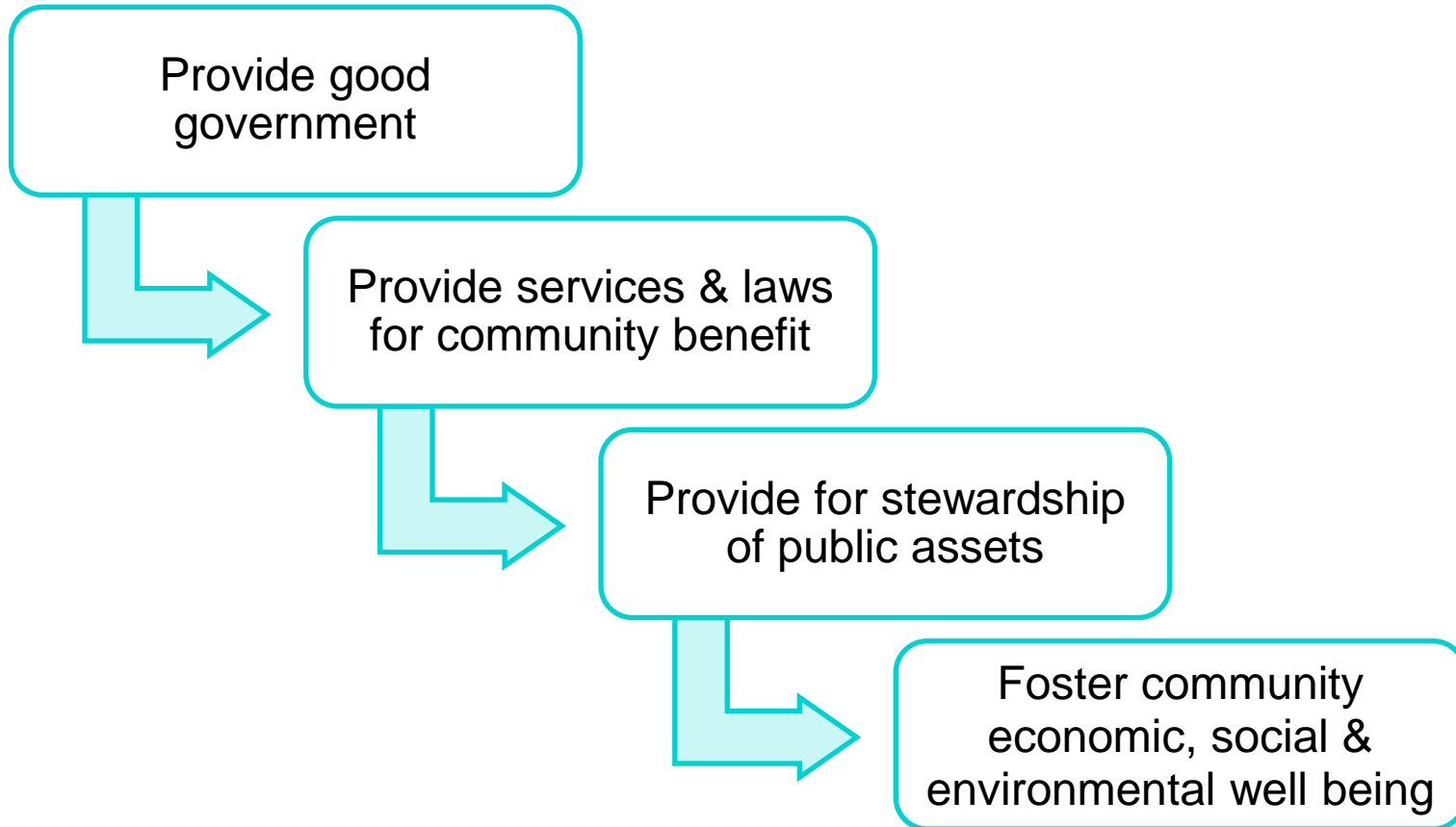
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The *Constitution Act* (formerly the BNA Act) divides legislative authority between the federal parliament and provincial legislatures:

- federal - criminal law, banks, foreign affairs
- provincial - local government, property matters



Purpose of a Municipality



<https://www.youtube.com/watch?v=oXjKeOJsvpl>

What is Local Government?

What Legislation Governs Local Governments?

The *Community Charter* governs the purposes, powers and governance of municipalities.

The *Local Government Act* governs: incorporations, amalgamations and boundary changes; regional districts and improvement districts; elections and referenda; and planning and zoning.

...and many other Provincial *Acts*

https://www.youtube.com/watch?v=zatST8cw_Iw

Roles and Responsibilities of Elected Officials

Community Charter – Part 5

Division 1 – Council Roles and Responsibilities

Section 115 - Responsibilities of council members

Every council member has the following responsibilities:

- (a) to consider the well-being and interests of the municipality and its community;
- (b) to contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;
- (c) to participate in council meetings, committee meetings and meetings of other bodies to which the member is appointed;
- (d) to carry out other duties assigned by the council;
- (e) to carry out other duties assigned under this or any other Act.

Community Charter – Part 5

Division 1 – Council Roles and Responsibilities

Section 116 - Responsibilities of Mayor

- (1) The mayor is the head and chief executive officer of the municipality.
- (2) In addition to the mayor's responsibilities as a member of council, the mayor has the following responsibilities:
 - (a) to provide leadership to the council, including by recommending bylaws, resolutions and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;
 - (b) to communicate information to the council;
 - (c) to preside at council meetings when in attendance;
 - (d) to provide, on behalf of the council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council;
 - (e) to establish standing committees in accordance with section 141;
 - (f) to suspend municipal officers and employees in accordance with section 151;
 - (g) to reflect the will of council and to carry out other duties on behalf of the council;
 - (h) to carry out other duties assigned under this or any other Act.

Elected Officials and Local Government Staff have distinct roles

- Elected officials (as a body) are decision-makers, and set strategic policies and priorities – they do not implement policies and decisions or otherwise administer local government
- Local government staff are responsible for implementing council decisions and providing advice to elected officials
- The Chief Administrative Officer (CAO) is **the only employee of Council** and is the primary point of contact between elected officials and staff employed by the municipality
- Elected officials do not have regular contact with staff (except the CAO), nor do they perform or supervise the roles or duties assigned to staff
- An elected official **must not** interfere with, hinder or obstruct the work of local government officers or employees
- The ‘work’ of elected officials takes place as Council, in the Council Chamber at lawfully established Council meetings

Role of Council

- Council is the “governing body”
- Represent the electors
- Engage the community
- Act within the confines of the *Community Charter and Local Government Act*
- Set the direction of the community
- Set the priorities of the corporation (develop a Strategic Plan, updated regularly)
- Approve annually a 5-year Financial Plan that allocates resources to fulfill the Strategic Plan, e.g. including funding for staffing, capital projects, asset management
- Decide what services (which and how much) are delivered
- Monitor the satisfaction levels of the community

Role of Council continued

- Hire, oversee & evaluate the CAO
- Appoint Select Committees
- Appoint Acting Mayors
- Appoint Council representatives, e.g. to Regional District of Nanaimo Board, Vancouver Island Regional Board

Role of the Mayor

- Political leader
- Key spokesperson for council; reflects the will of Council
- Council meeting Chair
- Appoints standing committees
- Liaises (the link) with CAO
- Liaises with public
- Represents the District
- Ceremonial role
- Consensus builder
- Facilitates council decision making

Role of CAO & Staff

- Provides leadership to staff (CAO)
- Communicates Council policy and direction to staff (CAO)
- Provides information to Council
- Provides professional advice to Council
- Implements Council policy and direction
- Recognizes and respects the decision-making role of Council
- Communicates Council policy and decisions to the public
- Alerts Council to potential problems
- Other...

How can council and staff build a solid partnership?

- Respect for democratic process and principles
- Quality orientation, information, and advice for council members
- Corporate planning
- Staff briefing sessions
- Joint planning sessions
- Communication outside of Council meetings
- Communication of Council's rationale for decisions
- Distinction of roles
- Mutual respect
- Walk a mile in the others' shoes
- Council code of conduct (*new Provincial legislation to review within 6 months*)

Council – Staff – Public Partnership



Community Charter – Part 5

Division 2 – Council Proceedings

Section 122 - Exercise of powers by bylaw or resolution

- (1) A council may only exercise its authority by resolution or bylaw.
- (2) If an enactment provides that a council is required or empowered to exercise a power by bylaw, that power may only be exercised by bylaw.
- (3) If a council may exercise a power by resolution, that power may also be exercised by bylaw.
- (4) **An act or proceeding of a council is not valid unless it is authorized or adopted by bylaw or resolution at a council meeting.**

Community Charter – Part 5

Division 1 - Council Roles and Responsibilities

Section 117 - Duty to respect confidentiality

- (1) A council member or former council member must, unless specifically authorized otherwise by council,
 - (a) keep in confidence any record held in confidence by the municipality, until the record is released to the public as lawfully authorized or required, and
 - (b) keep in confidence information considered in any part of a council meeting or council committee meeting that was lawfully closed to the public, until the council or committee discusses the information at a meeting that is open to the public or releases the information to the public.
- (2) If the municipality suffers loss or damage because a person contravenes subsection (1) and the contravention was not inadvertent, the municipality may recover damages from the person for the loss or damage.

Community Charter – Part 4

Division 6 - Conflict of Interest

Section 100 - Disclosure of conflict

(2) If a council member attending a meeting considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has

- a) a direct or indirect pecuniary interest in the matter, or
 - b) another interest in the matter that constitutes a conflict of interest
- the member must declare this and state in general terms why the member considers this to be the case.

(3) After making a declaration under subsection (2), the council member must not

Section 101 (2)

- a) Remain or attend at any part of a meeting referred to in section 100(1) during which the matter is under consideration,
- b) Participate in any discussion of the matter at such a meeting,
- c) Vote on a question in respect of the matter at such a meeting, or
- d) Attempt in any way, whether before, during or after such a meeting, to influence the voting on any question in respect of the matter.

Community Charter – Part 4

Division 6 - Conflict of Interest

Section 105 - Restrictions on accepting gifts

- (1) A council member must not, directly or indirectly, accept a fee, gift or personal benefit that is connected with the member's performance of the duties of office.
- (2) Subsection (1) does not apply to
 - (a) a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office,
 - (b) compensation authorized by law, or
 - (c) a lawful contribution made to a member who is a candidate for election to a local government.
- (3) A person who contravenes this section is disqualified from holding office as described in Section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Community Charter – Part 4

Division 6 - Conflict of Interest

Section 108 - Restrictions on use of insider information

- (1) A council member or former council member must not use information or a record that
 - (a) was obtained in the performance of the member's office, and
 - (b) is not available to the general public,for the purpose of gaining or furthering a direct or indirect pecuniary interest of the council member or former council member.
- (2) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

Where does Council decision making start?

Lantzville Mission Statement

"Provide efficient, effective and environmentally and economically sustainable services for the public while managing growth of the community and respecting Lantzville's diverse character and charm."

Council decision making

Lantzville Council Values

Act in a professional manner at all times, having respect for:

- the public,
- staff,
- Council members,
- the roles of Council, staff and the public,
- the decision making process, and

carry out adequate research and thoughtfully consider the issues before us, while serving and representing all of our community.

Council Procedures

As Per Council's Procedure Bylaw:

- A schedule of Council Meetings is established annually by Council resolution, with meetings beginning at 6:00 pm and being held on two Wednesdays of each month, except as otherwise provided. Meetings take place in the Municipal Hall, 2nd Floor, 7192 Lantzville Road except where Council resolves to hold meetings elsewhere. The 2022 Council Meeting Schedule is available on our website (subject to change) and the 2023 schedule will be considered by Council September 7th and is subject to change in accordance with the Procedure Bylaw.
- Meetings are open to the public except where the provisions of the *Community Charter* apply to close a portion of the meeting to the public.

With orientation of new Council comes extra meetings. As well, several Special Council meetings (Financial Plan) are scheduled for November.

Demands on your Time...



Demands on your Time...

- Council meetings
- Committee meetings
- Public information meetings
- Other committee appointments
- Interacting with the public
- Conferences and workshops
- Invitations to community events
- 4-year term

Demands on your Time...

- Council orientation
- Potentially, District of Lantzville Committees:
 - Statutory: Parcel Tax Roll Review Panel (comprised of all of Council; meets when required for a new parcel tax; potentially 1/year)
 - Council Decision: Parks & Trails Select Committee (comprised of residents & 2 Council members; inactive since Covid)
 - Mayor Decision: Community Public Safety Standing Committee (comprised of all of Council; meets a minimum of 2/year)
 - Subject to Change following Council consideration of a Strategic Plan (Committee Policy suspends committees in election year)

Note: Board of Variance is an independent body appointed by Council; Provincial legislation prohibits Council member participation

Demands on your Time...

Other Possible External Appointments:

- Regional District of Nanaimo (Member)
- Vancouver Island Regional Library (Member)
- Municipal Insurance Association (Voting delegate)
- City of Nanaimo Parks, Recreation & Wellness Committee (Member)
- Lantzville Woodlot Advisory Group (Member)

Important to only act within Council mandate – as it could affect indemnification.

Demands on your Time...

Citizens may not understand that your role as a Council member is NOT day to day operations, so be sure to refer them to contact staff

- Do not become the person in the middle, protocol is citizen to contact staff responsible, and if unsatisfied with staff response, citizen to contact the CAO
- E.g., Council motion: THAT Council members receiving community safety complaints from the public be advised to respond: “Please call the RCMP direct (250.754.2345) re: speeding or criminal issues OR email district@lantzville.ca regarding other community safety issues providing name, civic address and concern. If your concern could not be resolved with the Chief Administrative Officer, you can email district@lantzville.ca, addressed to the attention of Council, and staff will distribute to all members of Council.”

Remuneration & Expenses

2022 Remuneration

- Mayor - \$25,850.28 (plus \$25/month internet taxable benefit) (+ CPI Jan 2023)
- Councillor - \$14,327.76 (+ CPI Jan 2023)

NOTE: (1) Council member appointed by Council to RDN Board, also receives remuneration from the RDN \$19,710.59/yr (2022 rate) + CPI next year

(2) UBCM offers a benefit plan; however, it requires 3 Council members to join (premium paid by Council member). No one subscribed to date.

(3) Business Trip Insurance (total & partial injury)

Expenses

When authorized by Council (by motion or in Financial Plan) to represent the District, engage in District business, or attend a meeting, course or convention beyond the boundaries of the District, the Mayor and Councillors entitled to reimbursement of expenses incurred during their absences from the District in accordance with Bylaw No. 97.

Good luck with your campaign!

Questions about:

- District operations, contact:
Ronald Campbell, CAO at 250.933.8080
or by email at ronaldcampbell@lantzville.ca
- Lantzville election process, contact Municipal Hall:
Trudy Coates, CEO (250.933.8082)
Nelda Richardson, DCEO (250.933.8081)
Email: vote@lantzville.ca

Please do not contact other District staff members with questions. We strive to ensure enquiries are centralized so information is shared consistently with all candidates.

- Campaign advertising or financing, contact:
Elections BC at 1.855.952.0280 or by email at
- General local government election information, contact:
Ministry of Municipal Affairs and Housing at 250.387.4020 or by email
at lggovernance@gov.bc.ca

QUESTIONS

