

GOVERNANCE & FINANCE COMMITTEE
ORDER OF BUSINESS
Town of Banff Council Chambers
Tuesday, April 23, 2019 at 9:00 a.m.

1.0 CALL TO ORDER

2.0 APPROVAL OF AGENDA

Recommendation:

That the governance and finance committee approve the agenda for the April 23, 2019 meeting.

3.0 ADOPTION OF PREVIOUS GOVERNANCE & FINANCE COMMITTEE MINUTES

3.1 Minutes of the February 25, 2019 Meeting of the Governance & Finance Committee

Recommendation:

That the governance and finance committee adopt the minutes of the February 25, 2019 meeting.

4.0 DELEGATIONS AND INVITED PRESENTATIONS

5.0 PUBLIC INPUT ON AGENDA ITEMS

6.0 UNFINISHED BUSINESS

7.0 REPORTS

7.1 Request for Direction – Cemeteries Fees and Charges

Recommendation:

That the governance and finance committee direct administration to draft an amendment to the Fees and Charges Bylaw from one of the two options provided.

7.2 Request for Review – Video Recording and Live Streaming of Council Meetings

Recommendation:

That the governance and finance committee review and provide feedback on draft Policy C8002 – Video Recording and Live Streaming of Council Meetings prior to the policy being presented to council for consideration.

8.0 CORRESPONDENCE

9.0 NEW/URGENT BUSINESS

10.0 CONFIDENTIAL ITEMS

11.0 ADJOURNMENT

Recommendation:

That the governance and finance committee adjourn the April 23, 2019 regular meeting of governance and finance committee.

Agenda prepared by: Tara Johnston-Lee

All recommendations as presented are for discussion purposes only, and should not be considered as the opinion or direction of the governance and finance committee.

MINUTES OF THE GOVERNANCE AND FINANCE COMMITTEE
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Monday, February 25, 2019 at 9:00 am

COUNCIL MEMBERS PRESENT

Karen Sorensen	Mayor
Grant Canning	Councillor and Acting Mayor
Corrie DiManno	Councillor
Chip Olver	Councillor
Brian Standish	Councillor

COUNCIL MEMBERS ABSENT

Ted Christensen	Councillor and Deputy Mayor
Peter Poole	Councillor

ADMINISTRATION PRESENT

Robert Earl	Town Manager
Tara Johnston-Lee	Municipal Clerk

1.0 CALL TO ORDER

The Mayor called the February 25, 2019 governance and finance committee meeting to order at 9:00 am.

2.0 APPROVAL OF AGENDA

FIN19-24 Moved by Councillor Canning that the governance and finance committee approve the agenda for the February 25, 2019 meeting as presented.

CARRIED

3.0 ADOPTION OF PREVIOUS GOVERNANCE & FINANCE COMMITTEE MINUTES

3.1. Minutes of the February 11, 2019 Meeting of the Governance & Finance Committee

FIN19-25 Moved by Councillor Standish that the governance and finance committee adopt the minutes of the February 11, 2019 meeting as presented.

CARRIED

4.0 DELEGATIONS AND INVITED PRESENTATIONS

There were no delegations.

5.0 PUBLIC INPUT ON AGENDA ITEMS

None received.

6.0 UNFINISHED BUSINESS

None considered.

7.0 REPORTS

None considered.

8.0 CORRESPONDENCE

None received.

9.0 NEW/URGENT BUSINESS

None considered.

10.0 CONFIDENTIAL ITEMS

10.1. Closed Session – Draft Policy Development – Streetscape Design Guidelines

FIN19-26 Moved by Councillor Standish that council move into a closed session in accordance with the Municipal Government Act section 197 and the Freedom of Information and Protection of Privacy Act section 24(1)(g).

FOIP Section 24(1)(g) – the disclosure could reasonably be expected to reveal information which could reasonably be expected to result in the disclosure of a pending policy.

CARRIED

Attending all or part of the closed session with council:

Name		Reason
Robert Earl	Town Manager	Strategic Leader of the Organization
Hailey Monod	Asset Management Coordinator	To present and answer any questions
Adrian Field	Director, Engineering	Strategic Leader and to answer any questions
Jason Darrah	Director, Communications	Strategic Leader and to answer any questions
Paul Godfrey	Director, Operations	Strategic Leader and to answer any questions
Randall McKay	Director, Planning and Development	Strategic Leader and to answer any questions
Kelly Gibson	Director, Corporate Services	Strategic Leader and to answer any questions
Silvio Adamo	Director, Protective Services	Strategic Leader and to answer any questions
Stephen Allan	Engineering Coordinator	To answer any questions
Darren Enns	Manager, Development Services	To answer any questions
Chad Townsend	Manager, Environmental Services	To answer any questions
Tara Johnston-Lee	Municipal Clerk	Procedural advice

FIN19-27 Moved by Councillor DiManno that the governance and finance committee return to the public meeting at 9:56 a.m.

CARRIED

11.0 ADJOURNMENT

FIN19-28 Moved by Councillor Standish that the governance and finance committee adjourn the February 25, 2019 regular meeting of governance and finance committee at 9:56 a.m.

CARRIED

Karen Sorensen
Mayor

Tara Johnston-Lee
Municipal Clerk

REQUEST FOR DIRECTION

Subject: Cemeteries Fees and Charges

Presented to: Governance and Finance

Date: April 23, 2019

Submitted by: Nadine Setzer, Manager, Municipal
Parks

Agenda #: 7.1



RECOMMENDATION

That the governance and finance committee direct administration to draft a bylaw to amend the Fees and Charges Bylaw from one of the two options provided in Appendix A.

BACKGROUND

Summary of Issue

Council passed first reading of the proposed amendments of the Cemeteries Bylaw on February 11, 2019. The Fees and Charges Bylaw is being brought forward now for council to consider new and additional fees ahead of the second reading of Bylaw 39-2. More information was requested by council regarding the expiry of grave certificates, best management practices and clarity on “infant” and “child” terminology which was referenced in the Fees and Charges Bylaw.

Proposed Fee Changes

Administration is proposing to introduce a reservation certificate and to include perpetual care charges within the grave certificate price to lessen the tax funding required for future cemetery maintenance.

Reservation Certificate

This certificate fee is proposed to allow the applying party to “reserve” the right to pursue interment at a future time within Mountain View Cemetery. However the reservation certificate is not assigned to a specific grave, is non-transferable, and non-refundable. Administration is proposing to have the certificate expire after a period of 49 years. The reservation certificate’s intent is to provide piece of mind and planning direction for executors and beneficiaries.

Grave Certificate

A grave certificate gives the purchaser the right to determine who, should they meet the Town of Banff’s eligibility requirements, can be interred within their grave and what type of monument or memorial marker can be placed on it.

A grave certificate does not grant the right to own the land but rather the right to be interred in it. The cost of the grave certificate and interment services will be incurred, at market rate, at time of purchase or when interment services are required. Should a purchaser change their mind, the grave certificate is only refundable to the original owner at purchase price less the pro-rated perpetual care and administrative fees. Grave certificates are transferable through inheritance, however carry no cash value. Grave certificates can be transferred back to the Town of Banff by written requests and will have an expiry after 49 years should the grave remain unoccupied.

Perpetual Care Fee

Funds generated by perpetual care fees are commonly used for general maintenance and repair of cemetery grounds such as lawn care and pathways repairs. Perpetual care funds are generally blended into the price of the grave certificate. The Town of Banff currently does not have a perpetual care fund.

The operating budget for Banff cemeteries is approximately \$153,000 per year for lawn care, snow servicing, general maintenance, etc of both cemeteries. Banff has an average of twelve interments per year with approximately six (varying annually) interments happening in previously purchased graves.

Comparable Cemetery Fees

The Cemetery Fees table compare fees from other municipalities to the Town of Banff fees and charges.

Cemetery Fees					
Town of Banff	Fee Description	Grave	Perpetual Care	Combined Total Base Price	
	Adult / child	\$ 520.00	\$ -	\$ 520.00	
	Infant	\$ 260.00	\$ -	\$ 260.00	
	Indigent	\$ 520.00	\$ -	\$ 520.00	
	Ashes - Inground	\$ 309.00	\$ -	\$ 309.00	
	Grave with concrete ribbon	\$ 520.00	\$ -	\$ 520.00	
Opening and Closing Fees	Fee Description	Interment Fees	Additional Charges Weekends/Holidays	Additional Charges (outside normal work hours per hour)	
	Adult Interment	\$ 666.00	\$ 309.00	\$ 309.00	
	child	\$ 520.00	\$ 309.00	\$ 309.00	
	Infant / Stillborn	\$ 286.00	\$ 204.00	\$ 204.00	
	Indigent	\$ 666.00	\$ 309.00	\$ 309.00	
	Cremation	\$ 309.00	\$ 204.00	\$ 204.00	
Town of Canmore	Fee Description	Grave	Perpetual Care	Combined Total Base Price	
	Adult grave resident	\$ 2,515.00	\$ -	\$ 2,515.00	
	Adult grave non-resident	\$ 5,280.00	\$ -	\$ 5,280.00	
	Field of Honour	N/C		N/C	
	Infant - resident	\$ 2,515.00	\$ -	\$ 2,515.00	
	Infant - non resident	\$ 5,280.00	\$ -	\$ 5,280.00	
	Indigent - resident	\$ 1,257.50	\$ -	\$ 1,257.50	
	Indigent - non resident	\$ 2,515.00	\$ -	\$ 2,515.00	
	Ashes - summer purchase	\$ 920.00	\$ -	\$ 920.00	
	Ashes - winter purchase	\$ 1,200.00	\$ -	\$ 1,200.00	
	Opening and Closing Fees	Fee Description	Interment Fees	Additional Charges Weekends/Holidays	Additional Charges (outside normal work hours per hour)
		Adult grave resident/non resident summer	\$ 1,236.00		
		Adult grave resident/non-resident winter	\$ 1,968.00		
	Field of Honour	\$ 1,236.00			
	Infant - resident	\$ 952.00			
	Infant - non resident	\$ 1,515.00			
	Indigent - summer	\$ 1,236.00			
	Indigent -winter	\$ 1,968.00			
	Ashes - summer	\$ 190.00	\$ 360.00	\$ 360.00	
	Ashes- winter	N/A			
Late fee per hour				\$ 97.50	
City of Calgary	Fee Description	Grave	Perpetual Care	Combined Total Base Price	
	Adult	\$ 1,664.32	\$ 2,496.47	\$ 4,160.79	
	Child	\$ 1,664.32	\$ 2,496.47	\$ 4,160.79	
	Infant	\$ 369.85	\$ 554.77	\$ 924.62	
	Indigent	\$ 670.35	\$ 1,005.52	\$ 1,675.87	
	Ashes - Inground	\$ 1,294.50	\$ 1,941.75	\$ 3,236.25	
	Grave with concrete ribbon	\$ 924.62	\$ 1,386.94	\$ 2,311.56	
	Opening and Closing Fees	Fee Description	Interment Fees	Additional Charges Weekends/Holidays	Additional Charges (outside normal work hours)
	Adult burial	\$ 1,775.32	\$ 1,251.81	\$ 1,251.81	
	Child burial (over 4/under 8)	\$ 980.51	\$ 745.12	\$ 745.14	
	Infant child (under 2)	\$ 712.25	\$ 528.55	\$ 528.55	
	Infant burial(Infant section)	\$ 275.12	\$ 180.83	\$ 5745.14 / \$528.55	
	Indigent burial		\$ 528.00	\$ 1,251.81	
	Ashes - Inground		\$ 325.87	\$ 325.87	
				\$ 125.00	
Late fee every half hour after 4:30					
City of Medicine Hat	Fee Description	Grave	Perpetual Care	Combined Total Base Price	
	Adult grave	\$ 610.00	\$ 1,903.00	\$ 2,513.00	
	Infant / Child	\$ 293.00	\$ 775.00	\$ 1,068.00	
	Indigent	\$ 304.00	\$ 952.00	\$ 1,256.00	
	Ashes - Inground	\$ 293.00	\$ 658.00	\$ 951.00	
	Grave with concrete ribbon	\$ 799.00	\$ 1,903.00	\$ 2,702.00	
	Opening and Closing Fees	Fee Description	Interment Fees	Additional Charges Weekends/Holidays	Additional Charges (outside normal work hours per hour)
	Adult Interment	\$ 1,004.00	\$ 528.00	\$ 211.00	
	Infant / Child	\$ 510.00	\$ 528.00	\$ 211.00	
	Indigent	\$ 1,004.00	\$ 528.00	\$ 211.00	
	Ashes - Inground	\$ 408.00	\$ 306.00	\$ 107.00	
Town of Didsbury	Fee Description	Grave	Perpetual Care	Combined Total Base Price	
	Adult grave resident	\$ 500.00	\$ -	\$ 500.00	
	Adult grave Non-resident	\$ 1,000.00	\$ -	\$ 1,000.00	
	Infant / Child	\$ 500.00	\$ -	\$ 500.00	
	Indigent	\$ -	\$ -	\$ -	
	Ashes - Inground resident	\$ 400.00	\$ -	\$ 400.00	
	Ashes Inground non resident	\$ 800.00	\$ -	\$ 800.00	
	Grave with concrete ribbon	\$ -	\$ -	\$ -	
	Opening and Closing Fees	Fee Description	Interment Fees	Additional Charges Weekends/Holidays	Additional Charges (outside normal work hours per hour)
		Adult summer	\$ 450.00	\$ 635.00	\$ -
		Adult winter	\$ 600.00	\$ 710.00	\$ -
	Infant / Child	\$ 450.00	\$ 635.00	\$ -	
	Indigent	\$ -	\$ 635.00	\$ -	
	Ashes summer	\$ 200.00	\$ 450.00	\$ -	
	Ashes winter	\$ 350.00	\$ 475.00	\$ -	

The average combined total price including perpetual care of an adult grave within the comparable fee table is \$2,460.

Some municipalities show a percentage or a fixed rate for perpetual care while others do not charge for perpetual care, they rely on their operating budgets to satisfy the maintenance requirements within their cemeteries.

Average annual cemetery revenue is \$3120 in Banff with average annual expenses at \$153,000, the percent of cemetery costs that are currently covered by taxes is 98%.

Administration is proposing two costing options to introduce perpetual care fees:

Option A

Charge perpetual care fees of \$1940, which would bring the total cost of an adult grave to the comparative average of \$2,460. At six interments per year that would bring average annual revenue from \$3120 to \$14,760, or from 98% tax support to 90% tax support.

Option B

Change the perpetual care fee of \$6,375. This would change the tax support to 75%.

TOWN OF BANFF FEES AND CHARGES BYLAW CEMETERIES (BYLAW 39-1)											
	Unit Base	2011-2015 Fee	2016 Fee	2017 Fee	2018 Fee	2019 Fee			2019 Fee		
						Rate	Option A	Combined Total	Rate	Option B	Combined Total
Grave Fee Includes Perpetual Care											
Adult and Child Grave	per grave	\$510	\$510	\$510	\$510	\$520	\$ 1,940	\$ 2,460	\$ 520	\$ 6,375	\$ 6,895
Infant Grave (under 12 mths-old)	per grave	\$255	\$255	\$255	\$255	\$260	\$ 970	\$ 1,230	\$ 260	\$ 3,188	\$ 3,448
Interment Fees											
Full Burial	per burial	\$510	\$550	\$605	\$653	\$666		\$ 666	\$ 666		\$ 666
Cremation Burial	per burial	\$255	\$255	\$281	\$303	\$309		\$ 309	\$ 309		\$ 309
Child Burial (1 to 10 yrs-old)	per burial	\$510	\$510	\$510	\$510	\$520		\$ 520	\$ 520		\$ 520
Infant/Still Born Burial	per burial	\$255	\$255	\$281	\$281	\$286		\$ 286	\$ 286		\$ 286
Monument Application Fee	per event	\$51	\$75	\$75	\$75	\$77		\$ 77	\$ 77		\$ 77
Disinterment	-	Cost Plus 25%		Cost Plus 25%	Cost Plus 25%		Cost Plus 25%				
Additional Fees for Weekend, Statutory Holiday or After-Hours Burial											
Reservation Fee (new)	per certificate					\$125		\$ 125	\$125		\$ 125
Burial, After Hours/Weekend/Holiday	per event	\$255	\$255	\$281	\$303	\$309		\$ 309	\$ 309		\$ 309
Cremation/After Hours/Weekend/Holiday	per event	\$200	\$200	\$200	\$200	\$204		\$ 204	\$ 204		\$ 204

Administration is recommending option A. This option would fund approximately 10% of the cemeteries annual maintenance costs as compared to the current 2% contribution.

Terminology

Administration is recommending to use the age method; an infant would be defined as anyone under 12 months-old and a child will be defined as aged between 1 and 10 years-old. The ages are indicated within the fee schedule.

Columbarium Considerations

Administration intends to bring back to council in Q2 a RFD for direction regarding the construction of a columbarium combined with the fees and charges associated currently. Preliminary estimated pricing indicates that interment in a columbarium niche may likely exceed the cost of a traditional in-ground burial. Pricing models between municipalities investigated vary for columbarium niches. It is not uncommon to have the niche fees higher than the interment fees.

Response Options

Council may choose to approve;

- 1) Council approves option A;
- 2) Council approves option B;
- 3) Council directs administration to return with additional options; or
- 4) Council receives this document as information.

IMPLICATIONS OF DECISION

Internal Resources

Communications – updating the website
Administrative support to create new processes and record keeping.

Communication

The changes will be communicated through the Town’s website.

Circulation date: April 3, 2019

Submitted By: On original
Nadine Setzer

Reviewed By: On original
Robert Earl, Town Manager

Appendix A - Bylaw 388 - Proposed Schedule G – Proposed Options

Option A

SCHEDULE "G" TOWN OF BANFF FEES AND CHARGES BYLAW									
		Unit Base	2011-2015 Fee	2016 Fee	2017 Fee	2018 Fee	2019 Fee		
							Rate	Option A	Combined Total
Grave Fee Includes Perpetual Care									
Adult and Child		per grave	\$510	\$510	\$510	\$510	\$520	\$ 1,940	\$ 2,460
Infant Grave		per grave	\$255	\$255	\$255	\$255	\$260	\$ 970	\$ 1,230
Interment Fees									
Full		per burial	\$510	\$550	\$605	\$653	\$666		\$ 666
Cremati		per burial	\$255	\$255	\$281	\$303	\$309		\$ 309
Child		per burial	\$510	\$510	\$510	\$510	\$520		\$ 520
Infant/Still Born Burial		per burial	\$255	\$255	\$281	\$281	\$286		\$ 286
Monum		per event	\$51	\$75	\$75	\$75	\$77		\$ 77
Disinterment		-	Cost Plus 25%		Cost Plus 25%				
Additional Fees for Weekend, Statutory Holiday or After-Hours Burial									
Reservation Fee (new)		per certificate					\$125		\$ 125
Burial, After		per event	\$255	\$255	\$281	\$303	\$309		\$ 309
Cremation/After		per event	\$200	\$200	\$200	\$200	\$204		\$ 204

Option B

SCHEDULE "G" TO TOWN OF BANFF FEES AND CHARGES BYLAW CEMETERIES (BYLAW 39-1)									
		Unit Base	2011-2015 Fee	2016 Fee	2017 Fee	2018 Fee	2019 Fee		
							Rate	Option B	Combined Total
Grave Fee Includes Perpetual Care									
Adult and Child Grave		per grave	\$510	\$510	\$510	\$510	\$ 520	\$ 6,375	\$ 6,895
Infant/ Stillborn Grave (under 12 mths-old)		per grave	\$255	\$255	\$255	\$255	\$ 260	\$ 3,188	\$ 3,448
Interment Fees									
Full Burial		per burial	\$510	\$550	\$605	\$653	\$ 666		\$ 666
Cremation Burial		per burial	\$255	\$255	\$281	\$303	\$ 309		\$ 309
Child Burial		per burial	\$510	\$510	\$510	\$510	\$ 520		\$ 520
Infant/Still Bom Burial		per burial	\$255	\$255	\$281	\$281	\$ 286		\$ 286
Monument Application Fee		per event	\$51	\$75	\$75	\$75	\$ 77		\$ 77
Disinterment		-	Cost Plus 25%		Cost Plus 25%				
Additional Fees for Weekend, Statutory Holiday or After-Hours Burial									
Reservation Fee (new)		per certificate					\$125		\$ 125
Burial, After Hours/Weekend/Holiday		per event	\$255	\$255	\$281	\$303	\$ 309		\$ 309
Cremation/After		per event	\$200	\$200	\$200	\$200	\$ 204		\$ 204

REQUEST FOR DIRECTION

Subject: Video Recording and Live Streaming of Council

Meetings

Presented to: Governance and Finance Committee

Date: April 23, 2019

Agenda #: 7.2

Submitted by: Kelly Gibson, Director,
Corporate Services



RECOMMENDATION

That the Governance and Finance Committee review and provide feedback on draft Policy C8002 - Video Recording and Live Streaming of Council Meetings prior to the policy being presented to council for consideration.

BACKGROUND

Reason for Report

Council approved the 2019-2029 Capital Budget with a \$20,000 project that would allow for the live streaming and recording and publishing of recorded Council meetings. The purpose of video streaming, recording and publishing video of meetings would be to enhance the transparency of Town of Banff decisions, and increase the potential for public involvement in the issues that affect the community. This policy will help define the scope of the program and outline Council's expectations related to this program.

Summary of Issue

This policy outlines what meetings are video recorded, implications of recording or not recording, authority and timelines of retention for the video recordings. Below we have identified three key discussion points for the Governance and Finance Committee to consider.

Discussion Point 1

This draft policy proposes the video and audio recording of Council meetings, public hearings and Governance and Finance Committee meetings. Council meetings are the only meetings recorded by most municipalities, however administration proposes that Governance and Finance Committee meetings be recorded in order to live stream and record important business of Council, such as service review, which benefits from increased public awareness and participation. There is additional cost for including the Governance and Finance Committee meetings, as identified in the budget implications below.

Discussion Point 2

The attached policy identifies circumstances where the video recording and live streaming can be deleted or interrupted. This is at the discretion of the Chair of the meeting in exceptional circumstances where statements are made, or are likely to be made, that are considered inappropriate to be published by streaming or recording. Examples may include, but are not limited to, material that may be defamatory, infringe copyright, breach privacy, be offensive, constitute discrimination, constitute hatred or disclose confidential information. Live streaming and recording would be suspended for all in-camera portions of a meeting.

Discussion Point 3

Term of and location of video retention is an area of this policy that can vary substantially between municipalities. Administration reviewed 13 Alberta municipalities. Retention range from municipalities that do not keep a copy of the video, to municipalities that retain a permanent

records. Many that do not keep a record of the video use YouTube as a platform. This platform is the least costly option. However, once posted, the municipality loses control of the record and if it is deleted, the Town would have no way to restore it. Administration proposes a policy to follow retention schedule similar to the City of Edmonton (three years) and the City of Calgary (four years), and identifies four years to retain the recordings, which aligns with a Council term.

It is important to note that the Council meeting minutes are the official record of the meeting and public meetings will not be delayed, cancelled or postponed because of technical issues related to live streaming or video recording of meetings.

Response Options

- 1) Governance and Finance Committee recommends Policy C8002 as presented to Council for consideration.
- 2) Governance and Finance Committee proposes amendments and recommends Policy C8002 as amended to Council for consideration.
- 3) Governance and Finance Committee directs administration to bring back additional information to a future Governance and Finance Committee meeting.

IMPLICATIONS OF DECISION

Budget

Based on the current schedule, the variable cost of storage of video recordings for Council meetings over four years would be \$2,200 and Governance and Finance Committee meetings would be approximately \$3,000. This is currently within the operating budget.

Internal Resources

Internal resources will be required to run the audio/visual equipment. During the initial implementation period, this will consist of IT staff time and then transition to staff attending the meeting. The Municipal Clerk will require approximately three hours per meeting to annotate, upload and publish the video recording online. Resources may vary slightly dependent on final hardware and software configuration.

Communication

Proper signage will be required to inform the public that the meetings are being recorded as well as an indicator sign or light is required to identify when the system is recording in Council Chambers.

ATTACHMENTS

C8002 - Video Recording and Live Streaming of Council Meetings

Circulation date: _____

Submitted By: On original
Kelly Gibson, Director, Corporate Services

Reviewed By: On original
Robert Earl, Town Manager

POLICY Video Recording and Live Streaming of Council Meetings



Policy C8002

Adopted by Council:		Administrative Responsibility:	
Council Resolution #:		Last Review Date:	
Modified by Resolution #:		Next Review Date:	
Replaces:			

1.0 POLICY

Open Meetings of Council held in Council Chambers may be broadcast and video recorded in an effort to promote transparency, public participation and access to municipal decision making. Any Council meetings or portions of Council meetings closed to the public in accordance with section 197 of the *Municipal Government Act* will not be broadcast or recorded.

2.0 PURPOSE

This policy will provide guidelines for the live streaming and management of video recordings of Council meetings.

3.0 DEFINITIONS

- 3.1 **“Chair”** means the Mayor or chair of the meeting.
- 3.2 **“Council”** means the Council of the Town of Banff and in this policy includes the Governance and Finance Committee as established by Council.
- 3.3 **“Council Chambers”** means the Banff Town Hall council chamber.
- 3.4 **“Open Meeting”** means any meeting of Council open to the public in accordance with section 197 of the *Municipal Government Act*.
- 3.5 **“Town’s Website”** means the websites administered and controlled by the Town of Banff, which may include, but is not limited to www.banff.ca; web-based video management applications, and social media.

4.0 RESPONSIBILITIES

- 4.1 Council is responsible to:
 - a) approve this policy and any amendment thereto.
- 4.2 The Town Manger is responsible to:
 - a) implement, monitor and evaluate this policy.

5.0 STANDARDS

- 5.1 The official record of Council meetings shall be the written minutes. The keeping of a video recording of a Council meeting shall in no way detract or undermine the position of approved minutes as the official record of Council decisions.
- 5.2 The Town of Banff will make every reasonable effort to ensure that live streaming and video recordings are available to the public. However, there may be situations where due to technical difficulties the live streaming and video recordings may be unavailable or delayed. Meetings will not be cancelled, postponed or delayed due to technical issues with live streaming or recording of meetings.
- 5.3 Signage shall be posted to ensure that presenters and members of the public are aware that all Open Meetings of Council are being broadcast, recorded and made available over the internet.
- 5.4 It is intended that the standard camera position will only provide vision of the members of Council who are present at the meeting and those members of administration and the public who are addressing Council at the meeting.
- 5.5 Recordings will be accessible to the public on the Town's website for a period of four (4) years from the date of the meeting.
- 5.6 Original unmodified recordings will be classified, stored and retained in accordance with the Town's Record Retention Bylaw.

6.0 RISK MITIGATION

- 6.1 Council meetings are a public forum of statements, questions and answers.

Opinions expressed and statements made during a Council meeting are those of the individual making them, and not those of Council. Unless set out in a resolution of Council, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council meeting and which may be contained in a recording.

It is possible that statements could be made which may be regarded as offensive, defamatory, incorrect or contrary to law and may be the subject of potential liability. As the broadcasting and publishing of recordings of meetings increases the potential audience, potential risks may also increase.

Accordingly, the Chair, has the discretion and authority at any time to direct the termination or interruption of the live streaming and recording of the meeting if they consider it prudent or advisable to do so. Such direction will only be given in exceptional circumstances.

- 6.2 Council may by majority vote:
 - a) direct the Town Manager to direct staff to terminate or interrupt the recording of a Council Meeting if they consider it advisable to do so due to content that is deemed inappropriate ; or

- b) direct the Town Manger to direct staff to remove recordings or portions of recordings from the Town's Website where they consider it advisable to do so due to content they deem inappropriate to be published.

Material considered to be inappropriate may include, but is not limited to, material that may:

- be false or misleading communication which damages the reputation of another individual or organization
- infringe copyright
- breach the privacy of an individual or unauthorised disclosure of the personal information of an individual
- be offensive
- constitute discrimination
- constitute hatred of a person or group of people and is likely to offend, insult, humiliate or intimidate
- disclose confidential or privileged information-

7.0 LICENCE AND USE

- 7.1 Unless otherwise indicated, copyright to the recordings of meetings made available on the Town's Website is owned by the Town of Banff. Permission is granted to produce or reproduce the recordings posted on the website, or any substantial part of such recordings, for personal, non-commercial, educational and news reporting purposes only, provided that the copied material is not modified or altered and ownership of the material is attributed to the Town. For certainty, no person may use the recordings for commercial activity, political party advertising, election campaigns, or any other politically partisan activity. Unless expressly authorized herein, no part of the recorded materials posted on the Town's Website may be reproduced except in accordance with the provisions of the Copyright Act, as such Act may amended or replaced from time to time, or with the express written permission of the Town.

8.0 RELATED DOCUMENTS

- 8.1 Town of Banff Records Retention Schedule
8.2 Council Procedures Bylaw

9.0 RELEVANT LEGISLATION

- 9.1 Municipal Government Act
9.2 Freedom of Information and Protection of Privacy Act
9.3 Copyright Act

This policy shall be in effect on the date it is approved by resolution of Council.

Karen Sorensen
Mayor

Robert Earl
Town Manager