



TOWN OF HINTON Standing Committee Meeting June 10, 2014

PRESENT: Mayor Rob Mackin, Deputy Mayor Glen Barrow, Councillors Ryan Maguhn, Marcel Michaels, Stuart Taylor, Dale Currie and Matthew Young

ABSENT:

SECRETARY: Rhonda West – Legislative & Administrative Services Coordinator

ALSO PRESENT: Bernie Kreiner - Town Manager

Denise Parent - Director of Corporate Services

Laura Howarth – Director of Community & Protective Services

Mike Schwirtz – Director of Infrastructure Services

ORDER

Deputy Mayor Glen Barrow called the Standing Committee Meeting to order. The time was 4:00 p.m.

A moment of silence was taken to remember the three fallen RCMP officers from Moncton, New Brunswick.

ADOPTION OF AGENDA

There was consensus to accept the Standing Committee Meeting Agenda of June 10, 2014 as presented and to provide for extra time for Action Item #5.

ACTION ITEMS

Refer to the Standing Committee Meeting Agenda package for June 10, 2014 for detailed background information on these decisions.

Break-A-Leg Theatre Arts – Hinton ACT Centre Project

Maureen Wood-Engerdahl and Sue Giebert from Break-A-Leg Theatre Arts (BAL) spoke to council about the Hinton ACT Centre Project. Council reviewed the draft BAL business plan with the group. Operational and construction budgets have been submitted to the Town.

BAL provided the following information:

- Hinton Centre – not prepared to have another makeshift facility as an interim facility and asked if Council has done a sustainable model for a retrofit to the Hinton Centre; any new ideas or options relating to the Hinton Centre for the group would have to be brought before the BAL board for discussion. The group did not want a new facility to take away from the large space activities that the Hinton Centre is currently being used for. If there is a sustainable business model for the Hinton Centre then the board could have a look at it and determine if it is an acceptable route for the group. Want the town to support a balanced model and move forward. The group stated that it would cost more on making it worthwhile for a theatre than a new stand alone building; don't use money to renovate the building (HC); renovation budget would be unknown when you start;
- In the event that BAL was to fold, the building would go up for sale;
- Amount to be fundraised is \$7 million and hope to raise those funds in the next 1.5 years;


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- The group has raised \$10,000 to date and has no commitment from any donors at this point. The group is approaching the Town first for their commitment as this will make it easier for others to come on board knowing that the town is committed to the project;
- Looking at hiring a professional fundraising coordinator as the group does not have the time or the expertise to coordinate major fundraising;
- The group has put people in place that have construction experience and have had many discussions with professionals in the theatre industry. Also have people in place that have management and budget control experience;
- Surplus from the two screen operation would be considered contingency for operations. The group has no plan to come back to council for more funding. They have not approached financial institutions regarding funding;
- Looking for town support before proceeding any further;
- The taxpayers are asking for it and are missing out for not having it;
- Need to show town has put up 1.1 million in tangible assets for the project; grant process would stall if Town doesn't support the project;

Council's comments were as follows:

- Cost of the new facility – perhaps start on a smaller scale with lower costs;
- Concern on the financial viability of the project and assurance that future costs will not fall on to the taxpayer;
- Dauphin and Merritt and most recent communities doing something similar. Merritt has a 4-screen theatre with performing arts facility at a cost of \$4 million. Is the group being reasonable and rational in what they want to build? Encouraged the group to find synergies, explore options seriously for the sake of the taxpayer and volunteers;
- Concern about sponsor burnout;
- Is there an option for the Town to provide a letter of support with a hard time limit (ie. 24 months) with the expectation that you fundraise your capital within that time;
- Hearing from people that they want a theatre but don't want the Town to put money into a cinema;
- Would like to help the group without the town committing anything financially as this would allow the people to vote with their wallets;
- Is there willingness from the group to partner and work together and build the facility onto the Hinton Centre; interest from council on a shared use facility (Hinton Centre).

There was consensus that Council direct Mayor Mackin to communicate to the BAL board council's desire to investigate collaboratively the feasibility of sharing the Hinton Centre facility for the purposes of a performing arts centre and cinema no later than June 22, 2014.

Performing Arts Facility Update

Laura Howarth, Director of Community & Protective Services provided council with an update on the performing arts facility. Several attempts have been made to keep idea alive and still significant interest in the community. No interest for a business to come and open/run a cinema in town. Hinton Training Centre will be building a 200-seat lecture theatre. Some performance is possible but there will not be a lot of staging area.

There was consensus to accept the report for information.


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Infill and Substandard Lands – Conceptual Review of Goals and Options

Bernie Kreiner, Town Manager, spoke about these two complex issues with council. Do not want to set up an expectation of a solution. Everyone has their own reason for an infill not filling. Situations are very distinct and unique.

There was consensus on the following:

- **Remove the option re penalize thru higher tax rate**
- **Proceed with remaining options for infill and lots with sub-standard services with an emphasis on discussion/follow-up with all property owners individually**
- **Report back to council on feedback received from lot owners**

Review of Community Futures West Yellowhead (CFWY) Board Structure

Councillor Young had asked that this item be placed on the agenda. The AGM for CFWY is scheduled for June 19, 2014. Membership currently consists of 5 municipalities with two members from each municipality. A proposed change to membership is each member municipality shall have two Directors appointed. A member may elect to appoint both directors, or may elect to appoint only 1 of the 2 directors. In this circumstance the already appointed directors shall be at liberty to appoint the second director from the member's municipality.

There was consensus to support the proposed changes to the membership of CFWY.

Mobile Device/Bring Your Own Device Usage Policy #097

Denise Parent, Director of Corporate Services, provided council with a revised draft policy as directed at the Regular Council meeting of May 23, 2014. The purpose of the policy is to protect Town data and ensure procedures are in place. Councillor Maguhn distributed a fact sheet – "Privacy in the Workplace" (marked as Attachment #1 to the minutes) for council's review and noted paragraph 4.1a) of the policy arguing that people should have privacy in the workplace.

There was consensus to add the following sentence to paragraph 4.1a): *Town employees who choose to use Town issued devices consent to explicit, limited and justified collections, uses and disclosures of their personal information.*

There was consensus that, if the above amendment is approved in Policy #097, then to bring Policy #001 being the Electronic Network Policy into alignment.

Town Board & Committee Membership Update

Rhonda West, Legislative & Administrative Services Coordinator, provided council with a reminder that there are number of vacancies coming up on various Town boards and committees and encouraged council members to speak to members of the community and encourage them to apply.

There was consensus to accept the report for information.

ADDITIONAL INFORMATION

Urgent Matters from Council and Town Manager

Councillor Taylor requested clarification on the Electronic Network Policy #001 with respect to forwarding information relating to a political party's fundraising event. Town Manager, Bernie Kreiner, advised council that it is Administration's job to manage and implement the Electronic Network Policy #001 and that he would consider the question and report back to council on clarification of interpretation.

Councillor Currie has received more complaints regarding crack filling of streets and inquired if a different method can be used? Mike Schwirtz, Director of Infrastructure Services, replied that the majority of municipalities are using the same method as Hinton due to its cost effectiveness and means to prolong the life of the road.

There was consensus to direct Administration to place an ad in the newspaper for next year to bring more awareness to citizens as to the timing and process of crack sealing.

Town Manager, Bernie Kreiner, reminded council on the following:

- If a matter relates to a policy or service level concern – bring the matter through to regular council;
- If the issue is an administrative or technical matter – refer to the Town Manager or responsible Director;
- Issues that fall somewhere in the middle give the Town Manager a call to find out where it falls.

Councillor Currie noted that he will be away July 1 to the 15, 2014. Councillor Maguhn noted that he will be away on holidays in July.

There was consensus that Council review Council's clothing allowance credit of \$125 at the next regular meeting of council.

Executive Assistant Logistics Information

Rhonda West brought awareness to council regarding the conflicting notices put forward by two members of council regarding the Habitat for Humanity matter. She noted that Councillor Taylor gave notice at the May 27, 2014 Standing Committee meeting "*to discuss the Habitat \$700,000 funding to come to a Standing Committee meeting in light of the final Baker Street plan.*" Councillor Young gave notice at the June 3, 2014 Regular Meeting of Council "*...to revisit the decision of Council on December 17, 2013 respecting Habitat for Humanity.*" She noted that Councillor Young's motion would have been out of order as notice had already been provided to discuss the same matter.

Rhonda West further reviewed with council the format and process for standing committee meetings of council whereby no decisions are formally made by council at standing committee meetings. Items are either sent back to administration for further information or moved forward to the regular meeting of council for formal review and decision making.


Initial

IN CAMERA

TAYLOR - That the Standing Committee meeting move in camera.

Carried

The time was 6:52 p.m.

YOUNG – That the time for the Standing Committee meeting be extended.

Carried

The time was 7:00 p.m.

MICHAELS - That the Standing Committee meeting revert to regular session.

Carried

The time was 7:07 p.m.

There was consensus that Mayor Mackin begin work on reviewing and re-branding the Town of Hinton's website with Denise Parent and bring back to council for further review.

ADJOURNMENT

MACKIN - That Standing Committee Meeting of Council adjourn.

Carried

The time was 7:09 p.m.



Deputy Mayor



Director of Corporate Services


Initial

Do employees' privacy rights conflict with an employer's right to manage?

Employers have legitimate requirements for personal information about their employees. They need to know who they're hiring. They need to address performance issues and ensure the physical security of their workplace. And they may see electronic monitoring and other surveillance as necessary to ensure productivity, stop leaks of confidential information, and prevent workplace harassment.

So sometimes employers have to delve into private matters. But they can keep those instances to a minimum, and limit the impact on personal privacy. The possibility that an individual employee might do something harmful doesn't justify treating all employees as suspects. The questionable benefit of knowing what every employee is doing on company time and equipment, at all times, needs to be weighed against the cost — including the cost to staff morale and trust. Preventing workplace harassment is an important goal, but it's best achieved through workforce training and sensitization, explicit anti-harassment policies, and appropriate remedial measures when harassment is reported or reasonably suspected, rather than by depriving everyone of their privacy rights.

Clear policies and clear expectations

At a minimum, employers should tell their employees what personal information will be collected, used, and disclosed. They should inform employees of their policies on Web, e-mail, and telephone use, for example. If employees are subject to random or continuous surveillance, they need to be told so.

Employers should also ensure that information they collect for one purpose isn't used for an unrelated purpose without the employee's consent.

Even if they're not required to do so by law, employers should give employees access to the personal information held about them, so that they can verify, and if necessary challenge, its accuracy and completeness.

What about employees who waive their privacy rights?

Employers may be tempted to advise employees or prospective employees that they have no expectations of privacy in the workplace — that the loss of privacy is a condition of employment. Someone who agrees to work under these conditions, it could be argued, has consented to unlimited collection, use, and disclosure of their personal information.

Whether this is really consent — clear, informed, voluntary consent — is questionable. And the general principle of collecting only the personal information that's required for appropriate purposes gets lost with this approach. A better alternative is to specifically ask employees to consent to explicit, limited, and justified collections, uses, and disclosures of their personal information.

A "privacy culture"

In many workplaces, practices like the ones outlined above are required by law, and employees have legal means to assert their rights. Employees may also have enforceable rights to privacy under collective agreements.

But good privacy practice is not just about avoiding complaints, grievances, or lawsuits. Whether or not privacy is protected by law or contract, fostering a workplace culture where privacy is valued and respected contributes to morale and mutual trust, and makes good business sense.

Date Modified: 2004-04-01

Office of the Privacy Commissioner of Canada

Fact Sheets

Privacy in the Workplace

Employers and employees are often subject to privacy laws. The *Privacy Act*, for example, applies to employee information in federal government institutions. The *Personal Information Protection and Electronic Documents Act* applies to employee information in federal works, undertakings, and businesses. See our fact sheet entitled [Application of the PIPEDA to Employee Records](#). Several provinces have privacy legislation applying to employee information. In addition, employers often make a commitment in collective agreements to observe privacy practices.

But whether or not privacy is protected by law or contract, respecting privacy in the workplace makes good business sense.

People expect to have some privacy at work, even if they are on their employer's premises and using the employer's equipment. At the same time, it's normal that working for someone will mean giving up some privacy. Employers need basic information about their employees for things like pay and benefits, and they have to be able to ensure that work is being done efficiently and safely.

But the possibilities for infringing on privacy are greater than ever before. Psychological tests, web-browsing records, video surveillance, keystroke monitoring, genetic testing: the information an employer can have about employees is limitless.

Employers can balance their "need to know" with their employees' right to privacy, if they ensure that they collect, use, and disclose personal information about their employees for appropriate purposes only.

Respecting employees' privacy

An employer's need for information should be balanced with an employee's right to privacy. For almost all personal information — including pay and benefit records, formal and informal personnel files, video or audio tapes, and records of web-browsing, electronic mail, and keystrokes — the following basic rules help to establish and maintain that balance:

- The employer should say what personal information it collects from employees, why it collects it, and what it does with it.
- Collection, use, or disclosure of personal information should normally be done only with an employee's knowledge and consent.
- The employer should only collect personal information that's necessary for its stated purpose, and collect it by fair and lawful means.
- The employer should normally use or disclose personal information only for the purposes that it collected it for, and keep it only as long as it's needed for those purposes, unless it has the employee's consent to do something else with it, or is legally required to use or disclose it for other purposes.
- Employees' personal information needs to be accurate, complete, and up-to-date.
- Employees should be able to access their personal information, and be able to challenge the accuracy and completeness of it.