

Municipality of Casselman

By-law #2024-55

Being a By-law on Council Members' Remuneration, Expenses, and Benefits

Whereas Section 283 of the *Municipal Act 2001*, as amended from time to time (the "Act"), provides that a municipality may only pay the expenses of the members of Council if: i) the expenses are of those persons in their capacity as members, and ii) if the expenses are actually incurred, or the expenses are, in lieu of the expenses actually incurred, a reasonable estimate, in the opinion of the Council, of the actual expenses that would be incurred;

Whereas the council of the Municipality of Casselman (the "**Municipality**") recognizes that its council members (the "**Council Members**"), to fulfill their responsibilities for the Municipality, will from time to time incur expenses for accommodations, meals, transportation and other services; and

And Whereas Section 284 of the Act mandates municipalities to identify the by-law under which the remuneration or expenses are authorized to be paid.

Therefore, the Council of the Municipality of Casselman enacts as follows:

Section 1 – Remuneration of Council Members

The Council Members annual remuneration shall be identified in the annual budget and apply as of the first pay period of January of each year, and shall be paid every two (2) weeks during their term of office.

Section 2 – Per diem and expenses for attendance at events

- A) Per diems and expenses may be claimed by Council Members to attend conferences, educational sessions, speaking engagements, meetings, or other functions, strictly in accordance with the following:
- I. Out-of-town per diem for full day (i.e. four (4) hours or more, including travel time): An amount of \$150.00 may be claimed by Council Members while acting in their official capacity for the Municipality.
 - II. Out-of-town per diem rate for a half day (i.e. less than four (4) hours, including travelling time): \$75.00 may be claimed by Council Members while acting in their official capacity for the Municipality.
 - III. Meal allowance for breakfast, lunch and dinner during events and mileage reimbursement in accordance with the reimbursement policy, as amended from time to time ("Policy F-4").

- IV. Accommodation: reimbursement for hotels, motels and other overnight accommodation limited to the basic government nightly rate for single occupancy, standard room accommodation, as amended from time to time, unless such accommodation is not available within reasonable distance of the business activity. Council Members are expected to request government rates at the time of booking.
 - V. Transportation costs, including car rentals, rail, bus, taxi, airfares and parking fees in the course of municipal business.
 - VI. President's expenses related to meetings with provincial and federal representatives such as a Member of Parliament, Deputy Minister and Minister up to a maximum of \$ 1,000 of the approved allocation.
 - VII. Office expenses as per section 7 of this By-law.
 - VIII. Other: Per diems and expenses may also be used by Council Members for other municipal matters by Council majority approval, as approved from time to time.
- B) When representing the Municipality and upper tier Municipality at an event, the Mayor must elect to claim expenses from one source only source.

Section 3 – Group Insurance Plan

Council Members are eligible to participate in the Municipality's Group Insurance Plan specific to Council Members, as amended from time to time (the "Group Insurance Plan for Council Members") in accordance with the terms and conditions of the Group Insurance Plan. Participation in the Group Insurance Plan is voluntary and the Municipality shall pay one hundred percent (100 %) of the premium costs associated with providing benefits under the Group Insurance Plan. All participation in the Group Insurance Plan immediately ceases in the event that a Council Member no longer holds public office as a direct representative on the municipal council of the Municipality. All decisions with respect to entitlement to such benefits shall be solely determined by the insurance carrier in accordance with the terms and conditions of the insurance carrier's policy and the Municipality's only obligation is to pay their share of the premium as outlined above. The Municipality has no responsibility for the failure or refusal of the insurance carrier to honor a Council Member's claim or to pay benefits. The Municipality reserves the right to adjust, alter, or discontinue the Group Insurance Plan, or any portion of it, and/or to change providers, at any time, provided that in so doing, it is adjusting, altering or discontinuing such benefits for all Council Members. Council Members will be notified if any amendments are made to the Group Insurance Plan to the extent feasible. The Municipality may substitute another insurance carrier at any time, at its sole discretion.

Section 4 – Pension Plan

The Council's pension plan is outlined the most recent By-law to confirm and authorize continued participation in the OMERS Primary Pension Plan ("Primary Plan") and the Retirement Compensation Arrangement for the OMERS Primary Pension Plan ("RCA").

Section 5 – Use of Personal Vehicles

The Municipality recognizes that Council Members will be required to use their personal vehicles for municipal business. The Municipality provides the following compensation with respect to Council Members' personal vehicles:

- A) The Municipality's insurance does not cover Council Members' personal vehicles. It is the Council Member's responsibility to provide and pay for their own insurance. Council Members required to use their personal vehicles for municipal business must ensure that they have up to \$2,000,000 in third party liability insurance coverage at all times. However, where a Council Member is required to use their vehicle for municipal business and has their vehicle damaged while on official municipal business, the Council Member will be reimbursed for the cost of their insurance deductible, up to a maximum of \$500.00. To be reimbursed, the Council Member must provide proof that the vehicle was damaged while being used directly for official municipal business (e.g., police and insurance adjuster reports). The Municipality will not reimburse Council Members for the cost of insurance deductibles when the damage to their vehicles occurs while they are not directly engaged in municipal business.

Section 6 – Provincial Committees

In the event a Council Member is nominated on a provincial committee as a municipal elected member, an additional \$3,000 per diem allowance will be allocated to cover the Council Member's travel expenses to attend the provincial committee meetings if there is no more fund in the member's annual per diem. To qualify for the additional allowance, the Council Member seeking a nomination to a provincial committee must receive Council's support by resolution.

Section 7 – Office Expenses

Office expenses are defined, for the purposes of this Bylaw, as stationery, laptops, year to year planners or any other electronic device item determined by Council to be required for day to day office need as a Council Member.

- A) Council Members are offered one electronic device at the beginning of the term through the budget process. Any additional office expenses not included in the budget must be covered through the per diem allocation.
- B) Council Members are responsible for returning the electronic device in good working condition at the end of their term. Each Council Member is responsible for the cost of replacement or repair if the equipment is lost, stolen or damaged. As an alternative, the Council Member may choose to purchase the electronic device at a price determined by the treasurer.

Section 8 – Ineligible Expenses

The following expenses are not eligible for reimbursement:

- A) Entertainment expenses such as leisure activities, alcohol and transportation costs, which are not directly related to municipal business;
- B) Any expenses related to accompanying travel companions;
- C) Childcare expenses;
- D) Donations or grants made by a Council Member; and,
- E) Home office costs such as electricity, heating, water and sewer, taxes, rent, retrofit.
- F) Other expenses not identified in section 2.

Section 9 – Additional Conditions Respecting Expense Reimbursement

- A) If a Council Member cancels or fails to attend a scheduled event, such as a conference or training, the incurred expense will be deducted from the member's per diem as if they had attended.
- B) The annual total reimbursement of eligible expenses for each Council Member in a given year shall not exceed the Council Member's approved maximum limit, as set out in the corresponding annual budget.
 - I. If a Council Member's claims for expense reimbursement reach their maximum budget allocation prior to December 31st or the end of the term during an election year, the Council Member will receive notice in writing from the Finance Department that no further expense claims will be reimbursed. However, Council Members are granted the flexibility to exceed their allocated maximum limit by up to \$500 in a year that is not an election year. The excess amount beyond the allocation limit, up to a maximum of \$500 during a non-election year, will be automatically deducted from the Council Member's allocation for the following year.
 - II. Members exceeding the allocation limit by an amount greater than \$500 or by an amount greater than the budgeted amount during an election year must be repaid to the Municipality by the Council Member. If a Council member wishes to do so, they may request the Council to waive the fees.
 - III. During an election year, the total reimbursement of eligible expenses shall be restricted to 11/12th of the approved annual budget amount with the provision that the new council will be allocated a budget of 1/12th of the approved budget. The newly elected Mayor shall have access to the remaining budget allocation for the mayor. The newly elected councillors shall have access to an equal share of the remaining 11/12ths in addition to the 1/12th portion.
 - IV. If a Council Member is reimbursed in excess of the annual budgeted limit, the Council Member shall reimburse the amount paid in excess no later than thirty (30) days after being notified in writing of the overpayment.
- C) To obtain a reimbursement, it is mandatory to fill out the prescribed form and submit the relevant receipts, with the exception of the food allowance planned by policy F4.

Section 10 – Annual Report

An annual report detailing Council Members' expenses will be published by March 31 of every year. Expense claims for the Mayor shall be submitted and approved by Council. These claims should be submitted on a monthly basis while the reimbursement must be completed within ninety (90) days of the submission.

Section 11 - Conflict

In the event of a conflict between this By-law and any other municipal By-law or provision of internal Municipality policies regarding expenses incurred by Council Members, this By-law shall prevail.

Section 12

That By-Law 2023-023 is hereby repealed.

Read, passed and adopted in open council this 10th day of December, 2024.

Geneviève Lajoie, Mayor

Sébastien Dion, Clerk