



Town of Hinton
Regular Meeting of Council
AGENDA
Tuesday, September 2, 2014 - 5:00 PM
Council Chambers, Hinton Government Centre
2nd Floor, 131 Civic Centre Road
Hinton, Alberta

TOWN COUNCIL MISSION
Council serves the interests of our citizens
to enable our community to reach full potential.

Page

ORDER

1. Call to Order

ADOPTION OF AGENDA

1. Regular Council Agenda - September 2, 2014

CITIZENS "MINUTE WITH COUNCIL"

- 1.

DELEGATIONS AND PRESENTATIONS

1. 2014 Canadian Tire Mayor's Charity Event Cheque Presentation to Hinton United Way

COUNCIL MINUTES FOR ADOPTION

- 3 - 5
1. Regular Meeting of Council Minutes - August 19, 2014

ACTION ITEMS

- 6 - 14
1. Town Facilities Video Surveillance Policy #072 - Presented by Denise Parent

INFORMATION ITEMS

- 15
1. Council Information Package #1 - previously circulated August 20, 2014
- 16
2. Council Information Package #2 - previously circulated August 25, 2014

REPORTS FROM MAYOR, COUNCIL, TOWN MANAGER

1. Council Reporting (Training/Conferences/CEAC, Listening Teams, All Other Committees)
2. Town Manager Report



**Town of Hinton
Regular Meeting of Council
AGENDA
September 2, 2014
Council Chambers**

MOVE IN CAMERA

1. Land Matter (FOIP)
2. Meeting Debrief (FOIP)

ADJOURNMENT

1. Call for Adjournment of Meeting



TOWN OF HINTON Regular Council Meeting August 19, 2014

PRESENT: Mayor Rob Mackin, Councilors Dale Currie, Stuart Taylor, Ryan Maguhn

ABSENT: Councillors Glen Barrow, Marcel Michaels, Matthew Young

SECRETARY: Rhonda West – Legislative & Administrative Services Coordinator

ALSO PRESENT: Mike Schwirtz – Interim Town Manager
Denise Parent - Director of Corporate Services
Gordie Lee – Interim Director of Infrastructure Services
Laura Howarth – Director of Community & Protective Services

ORDER

Mayor Rob Mackin called the Regular Council meeting to order. The time was 5:03 p.m.

ADOPTION OF AGENDA

CURRIE - That the agenda of the Regular Council Meeting held August 19, 2014 be adopted as presented.

Carried

CITIZENS "MINUTE WITH COUNCIL"

No one came forward to speak.

DELEGATIONS AND PRESENTATIONS

Foothills Research Institute Overview

Bill Tinge, General Manager, provided an overview of the Foothills Research Institute (FRI). Mr. Tinge identified that FRI is a separate identity removed from the government governed by a board of directors. The group conducts applied research on topics that are of interest to their partners, generate knowledge, communicate that knowledge and develop management tools. Shareholder representatives include Alberta Government, Parks Canada, West Fraser, Conoco Phillips etc.

Purchasing Policy Presentation

Denise Parent, Director of Corporate Services, provided an overview of the principles and procedures of the Town of Hinton's Purchasing Policy.

COUNCIL MINUTES FOR ADOPTION

1. Standing Committee of Council Minutes – July 8, 2014
2. Standing Committee of Council Minutes – August 12, 2014
3. Regular Meeting of Council Minutes – July 15, 2014

MAGUHN - That the Minutes listed above be approved as presented.

Carried

Initial

ACTION ITEMS

Refer to the Regular Council Meeting Agenda package for [August 19, 2014](#) for detailed background information on these decisions.

1. Salaried Employees Compensation

Gordie Lee, Interim Infrastructure Services Director, presented Council with a report on the results of a salary survey conducted earlier in the year. The survey is conducted to ensure the Town remains competitive in salaries with other comparative municipalities.

TAYLOR - That Town Council approve a 2014/2015 wage increase to salary employees based on the Alberta Consumer Price Index (CPI) 12-month rolling average retroactive to July 1, 2014.

Carried

2. Financial Update

Denise Parent, Director of Corporate Services, provided Council with a financial update to July 31, 2014.

CURRIE - That the financial report be accepted for information.

Carried

INFORMATION ITEMS

1. Council Information Package #1 - previously circulated July 16, 2014
3. Council Information Package #3 – previously circulated July 30, 2014
4. Council Information Package #5 – previously circulated August 13, 2014
(There were no items in Information Packages #2 and #4)

MAGUHN - That Council Information Packages #1, #3 and #5 be accepted for information.

Carried

REPORTS FROM MAYOR, COUNCIL, TOWN MANAGER

1. Council Reporting (Training/Conferences/CEAC, Listening Teams, All Other Committees)

Councillors provided information on meeting, events and activities they have been involved with over the past few weeks including the visit from the Wanouchi delegation, citizen concerns on jake brake noise and appreciation for community support for the success of the Mayor's Golf Tournament.

2. Town Manager Report

Interim Town Manager, Mike Schwartz, provided updates on air quality concerns regarding smoke from fires in BC, the annual pool shutdown and his experience with meeting the delegates from Wanouchi.

Initial

MOVE IN CAMERA

TAYLOR - That the Regular Council meeting move in camera.

Carried

The time was 6:00 p.m.

TAYLOR - That Regular Council meeting revert to regular session.

Carried

The time was 6:25 p.m.

ADJOURNMENT

TAYLOR - That the Regular Meeting of Council adjourn.

Carried

The time was 6:26 p.m.

Mayor

Director of Corporate Services

Initial



TOWN OF HINTON REQUEST FOR DECISION

DATE: August 27, 2014

TO: REGULAR MEETING OF COUNCIL OF SEPTEMBER 2, 2014

FROM: Rhonda West, Legislative & Administrative Services Coordinator

REVIEWED BY: Denise Parent, Director of Corporate Services

APPROVED BY: Denise Parent, Acting Town Manager

RE: POLICY #072 – TOWN FACILITIES VIDEO SURVEILLANCE

Recommendation:

That Council approve Policy #072 respecting Town Facilities Video Surveillance as presented;

Concluding Statement

A policy that provides clear standards and guidelines that will help ensure the safety and security of Town staff, visitors and property while maintaining an individual's right to privacy promotes a healthy community environment.

Conformance of recommendation to existing laws and Hinton Council plans

Conforms with:	Yes/No/ Partial	Comments
Municipal and Provincial Laws	Yes	This policy and related procedure have been developed in accordance with the <i>Freedom of Information and Protection of Privacy Act</i> and the provincial guidelines to using surveillance cameras in public areas
Community Sustainability Plan	Yes	A safe community is a healthy community
Council's Strategic Plan	Yes	Sound, Responsible Governance – strive to provide the necessary services to the citizens in an open, efficient and financially sound manner
Long Term Capital Plan or Adopted budget	N/A	

Background / Introduction

This item is before Council to review draft Policy #072 relating to Video Surveillance cameras at Town facilities. Public bodies must balance the benefits to the public against the rights of individuals to be left alone. Public bodies considering the use of such systems must be able to justify the surveillance system and operate it within the terms of FOIP. The Office of the Information and Privacy Commissioner (OIPC) of Alberta has stated that a public body operating a surveillance system must give the public notice and, where a surveillance system is found to be justified, there must be policies

in place respecting the use of the system. The draft policy addresses standards and responsibilities. Attachment #2 outlines the detailed procedures on installation, monitoring, public awareness and limitations on the use, disclosure and retention of personal information.

The issue of video surveillance cameras was first looked at in 2006 with respect to the use of video surveillance cameras at the Recreation Centre. The objective and purpose for the use of video surveillance cameras at the Recreation Centre was determined to be for safety and security reasons. Video cameras have been installed on the outside of the Infrastructure Services Building also for safety and security reasons.

The purpose of this policy is to ensure standards and procedures are in place for the current video cameras at the Recreation Centre/Infrastructure Services Building and also for the installation of video cameras at the front desk at the Town office. An argument can be made that the use of video cameras at a high public use building such as the rec centre and the ISB building that houses town equipment is justified (with controls in place). I am not so certain with respect to the installation of cameras at the front desk at the Town office. There has been one (1) incident of a customer verbally threatening a town employee and I cannot state for certain that this is cause enough to infringe on an individual's expectation of privacy when they come to the Town office. Town solicitors have reviewed the policy and have noted that the criteria set out under FOIP are subjective and provide some room for supporting the installation of the camera as there is at least some basis for concern. He also noted that allowing the installation would be supportable if there were incidents of theft, vandalism or other safety or security issues at the Town office or in the near vicinity. In the end, if there are sound policy reasons behind the push to install the video cameras, the absence of direct criminal activity directly associated with the location is not strictly necessary to support the installation under FOIP. The draft policy will ensure that standards and procedures are in place for the protection and safety of those who use the facilities and the Town's assets.

Options

- 1) Approve draft Policy #072 relating to Town Facilities Video Surveillance;
- 2) Refer the draft policy back to administration for further research and information;
- 3) Postpone the draft policy to the September 16, 2014 Regular Meeting of Council to allow for a two-week period for public feedback;
- 4) Do not approve the draft policy and maintain status quo.

Administration Assessment of Options and Conclusion

The OIPC recommends careful consideration by a Council before the use of video cameras to ensure the use is justified, acceptable to the public and creates no greater privacy intrusion than is absolutely necessary to achieve its goals. The policy has been drafted to follow the provincial guidelines and procedures, promote safety and security while maintaining privacy protection measures.

Town Manager Comments

A surveillance system should have a policy in place to ensure sound standards and procedures are adhered to in regards to the operation of the system.

Attachment

1. Draft Policy #072 – Town Facilities Video Surveillance
2. Procedure #072-1 for Council's information.



TOWN OF HINTON

POLICY TITLE:	TOWN FACILITIES VIDEO SURVEILLANCE
POLICY #:	072
EFFECTIVE DATE:	**
ADOPTED BY COUNCIL ON:	**

1. POLICY STATEMENT

The Town of Hinton recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of Town staff, visitors and property. The objective of video surveillance at Town facilities is to promote safety and security and will be designed and maintained to minimize privacy intrusion. Information collected by video surveillance systems will be collected in a lawful and justified manner with built in privacy protection measures in accordance with the *Freedom of Information and Protection of Privacy (FOIP) Act*.

2. REASON FOR POLICY

- 2.1 Develop a surveillance system policy that complies with the *Freedom of Information and Protection of Privacy (FOIP) Act* and follows the guidelines set out by the Office of the Information and Privacy Commission of Alberta without compromising the safety and security of visitors, staff and property.
- 2.2 Ensure consistency and standardization of surveillance measures, procedures and protocols so that all citizens can have an expectation of consistency with respect to the collection, use and retention of personal information, regardless of where surveillance equipment is installed.
- 2.3 These guidelines are not intended to apply to workplace surveillance systems installed to conduct surveillance of employees.
- 2.4 These guidelines do not apply to covert or overt surveillance cameras being used as a case-specific investigation tool for law enforcement purposes or in contemplation of litigation.

3. DEFINITIONS

- 3.1 Authorized Personnel shall mean the Town Manager and senior administration and those employees the Town Manager delegates a responsibility under this policy;
- 3.2 Covert Surveillance refers to the secretive continuous or periodic observations of persons, vehicles, places or objects to obtain information concerning the activities of individuals;

- 3.3 Overt Surveillance refers to the non-secretive continuous or periodic observation of persons, vehicles, places or objects to obtain information concerning the activities of individuals;
- 3.4 Personal Information as defined in section 1(1)(n) of the *FOIP Act* as recorded information about an identifiable individual, including: the individual's race, colour, national or ethnic origin; the individual's age or sex; the individual's inheritable characteristics; information about an individual's physical or mental disability; and any other identifiable characteristics listed in that section;
- 3.5 Reception Equipment refers to the equipment or device used to receive or record the personal information collected through a surveillance system, including a video monitor;
- 3.6 Record as defined in section 1(1)(q) of the *FOIP Act* as a record of information in any form and includes notes, images, audio-visual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produced records.
- 3.7 Storage Device refers to a videotape, computer disk or drive, CD ROM or computer chip used to store the recorded images captured by a surveillance system;
- 3.8 Surveillance System refers to a mechanical or electronic system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces or public buildings;
- 3.9 Town as referred to in this policy shall include all departments that make up Town administration;
- 3.10 Town facilities refers to buildings owned by the Town of Hinton and used to conduct Town business, operations or programs.

4. **STANDARDS**

- 4.1 This policy allows for the installation and use of video surveillance equipment in Town facilities only within the parameters and subject to the conditions established by this policy.
- 4.2 The use of surveillance cameras is for public and employee safety (Section 33 of FOIP).
- 4.3 All personal information will be stored securely by the Town, accessed only by Authorized Personnel, and used only for the purposes set out in this policy.
- 4.4 This policy will comply with *FOIP* and the Government of Alberta, *Guide to Using Surveillance Cameras in Public Areas, revised June 2004*, and as further amended.

5. **RESPONSIBILITIES**

- 5.1 Town Council to appoint the Town Manager or designate as the custodian of the surveillance system program and review and approve any revision to this policy
- 5.2 Town Manager to review and approve any procedures related to this policy.

5.3 Town employees and contractors with access to surveillance equipment to:

- review and comply with this policy in performing their duties and functions related to the operation of a surveillance system. If a contractor fails to comply with this policy or the *FOIP Act*, it will be considered a breach of contract;
- employees who breach this policy may be subject to disciplinary action;
- employees and/or contractors with access to this surveillance system will swear an oath of confidentiality and sign written agreements regarding their duties under this policy
- carry out the policy based on established procedures.



TOWN OF HINTON

PROCEDURE #	072-1
TITLE:	TOWN FACILITIES VIDEO SURVEILLANCE PROCEDURE
POLICY:	072, TOWN FACILITIES VIDEO SURVEILLANCE
APPROVAL DATE:	**

Designing and Installing Surveillance Equipment

1.1 Video cameras may be installed at Town facilities including but not limited to the Dr. Duncan Murray Recreation Centre, the Infrastructure Services Building, Town office located in the Government Centre.

1.2 Video cameras shall not be positioned, internally or externally, to monitor areas outside a building, or to monitor other buildings, unless necessary to protect external assets or to ensure personal safety. Cameras will not be directed to look through the windows of adjacent buildings.

1.3 Video cameras shall not monitor areas where the public and employees have a reasonable expectation of privacy (ie. Bathrooms, change rooms).

1.4 Consideration should be given to the use of surveillance systems being restricted to periods when there is a demonstrably higher likelihood of crime being committed and detected in the area under surveillance. Only authorized persons will have access to the system's controls and to its reception equipment.

1.5 Reception equipment will be in a controlled access area. Only authorized personnel or those properly authorized in writing by the authorized personnel will have access to the reception equipment. Video monitors will be located in a position to restrict any public viewing.

Public Awareness of Cameras

2.1 The public will be notified, using clearly written signs prominently displayed at the perimeter of surveillance areas, so there is ample warning that surveillance is or may be in operation before entering any area under surveillance.

2.2 The main entrance(s) of the area will display the following notice:

Surveillance cameras have been installed at (the location) to deter and/or detect criminal activity (theft and vandalism) and for public safety.

The collection of personal information by surveillance cameras is authorized under Section 33(b) and 33(c) of the *Freedom of Information and Protection of Privacy (FOIP) Act*. The Town of Hinton has a policy, *Town Facilities Video Surveillance*, that describes the collection, use, disclosure and retention processes for the recorded information.

If you have any questions about this surveillance, or would like to make a complaint about the collection of your personal information in this manner, contact the Town Manager, Town of Hinton, 2nd Floor, 131 Civic Centre Road, Hinton, AB T7V 2E5. Phone: 780-865-6003.

Limiting Use, Disclosure and Retention of Personal Information

3.1 All storage devices that are not in use will be stored securely in a locked receptacle location in a controlled access area. All storage devices that have been used will be dated and labeled with a unique, sequential number.

3.2 Access to the storage devices will be limited to authorized personnel.

3.3 A log will be kept of all access to, use of, or disclosure of storage devices. Access to the log will be restricted to authorized personnel.

3.4 Storage devices will be subject to a 30-day retention period which means the storage device will be recorded over, or destroyed, 30-days following its use, unless an incident has been recorded, then section 6.15 applies.

3.5 Storage devices will only be viewed when an incident relating to public/employee safety or criminal activity has been reported or suspected. Senior administration and only those employees required to operate the reception equipment are permitted to view the stored images.

3.6 Once an incident has been verified, authorized personnel will take control of the storage device in question and place it in a sealed envelope with the time and date of the seizure and initials of the authorized personnel on the seal of the envelope. The seizure will be noted in the storage device log.

3.7 Seized storage devices will be stored in the Town vault until a law enforcement official requests the device by completing the form attached as Schedule "A" – Law Enforcement Disclosure Form. If the storage device is returned to the Town by law enforcement, it will be retained in accordance with section 6.11 or 6.15 of this policy, whichever applies.

3.8 If the information contained on the seized storage device is used to make a decision that directly affects an individual the seized storage device will be retained for a one-year retention period, following the decision, in accordance with section 35 of the *FOIP Act*. The seized storage device will be stored in the Town vault for the required retention period, after which time it will be recorded over, or destroyed.

3.9 An individual who is the subject of the information has a right to access their recorded information. Access may be granted in full or in part depending upon whether any of the exceptions in the *FOIP Act* apply and whether the excepted information can reasonably be severed from the record.

3.10 Old storage devices that cannot be recorded over must be securely disposed of by shredding, burning or magnetically erasing the information.

TOWN OF HINTON
PROCEDURE #072-1 - TOWN FACILITIES VIDEO SURVEILLANCE PROCEDURE
SCHEDULE "A"

LAW ENFORCEMENT DISCLOSURE FORM

Request for Disclosure under Section 40(1)(q) of the *Freedom of Information and Protection of Privacy Act*.

In accordance with s. 40(1)(q) of the *Freedom of Information and Protection of Privacy Act*, the

Name and Division of Law Enforcement Agency

Requests disclosure of personal information pertaining to

Name of individual or other identifier

Which may be generally described as

General description of information requested

This information is required by this law enforcement agency to assist in an investigation pursuant to

Provide reference to police incident report file number or warrant/Court Order Number

Requesting Law Enforcement Official

Name/Rank/Badge Number

Date

Signature

Contact Telephone

I, _____
Name of Disclosing Official

_____ consent to, or
_____ refuse this disclosure of
personal information.

If disclosure has been authorized, the personal information is stored at:

Name and Location of Personal Information Record

Authorized Disclosing Official

Name and Title

Date

Signature

Contact Telephone

NOTE: This completed record may qualify for exception to disclosure under s. 20 of the *FOIP Act*.



Town of Hinton
COUNCIL INFORMATION PACKAGE #1
(August 20, 2014)
In Advance of September 2, 2014 Regular Council Meeting

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PRIORITY ITEMS

CORRESPONDENCE & INFORMATION ITEMS

- 2 1. Call for Nominations for 2014 Stars of Alberta Volunteer Awards

REPORTS & MINUTES FOR INFORMATION



Town of Hinton
COUNCIL INFORMATION PACKAGE #2
(August 27, 2014)
In Advance of September 2, 2014 Regular Council Meeting

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PRIORITY ITEMS

CORRESPONDENCE & INFORMATION ITEMS

- | | | |
|--------|----|---|
| 2 | 1. | Letter to Mayor and Council from Noel Corser |
| 3 | 2. | Proclamation - FASD Awareness Day |
| 4 - 6 | 3. | HIV West Yellowhead - Notice of AGM and call for Board Members |
| 7 - 8 | 4. | GYPSSD Board News |
| 9 - 13 | 5. | FCSS Association 2014 Annual General Meeting Call for Resolutions |

REPORTS & MINUTES FOR INFORMATION

- | | | |
|---------|----|---|
| 14 - 15 | 1. | Development Permit Statistics - July 2014 |
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