



## LAC LA BICHE COUNTY POLICY

TITLE: COUNCIL AND EMPLOYEE LEGAL COSTS	POLICY NO: CS-11-005
RESOLUTION: 16.336	EFFECTIVE DATE: JANUARY 12, 2010
LEAD ROLE: MANAGER, LEGISLATIVE & INFORMATION SERVICES	NEXT REVIEW DATE: MARCH 1, 2021
SPECIAL NOTES/CROSS REFERENCE:	AMENDMENT DATE: MARCH 8, 2016

### **POLICY STATEMENT:**

Lac La Biche County recognizes that, in the discharge of his or her duties for the County, a Council Member, the Chief Administrative Officer, an employee, committee member or volunteer may be named in a legal proceeding. In accordance with section 535 of the *Municipal Government Act*, Lac La Biche County deems it appropriate to cover the legal expenses that may arise while discharging duties in good faith and within the scope of the position, employment or appointment with Lac La Biche County.

### **PROCEDURE:**

1. Individuals named in a legal proceeding from the discharge duties on behalf of Lac La Biche County, shall advise the Chief Administrative Officer or Assistant Chief Administrative Officer immediately upon notification of the actions. Individuals named shall provide the Chief Administrative Officer or Assistant Chief Administrative Officer with all relevant information and documentation, including details of any insurance coverage carried by the individual which may be applicable.
2. The Chief Administrative Officer or Assistant Chief Administrative Officer shall advise County Council, the Senior Manager, Finance and Grants, and the County's Legal Counsel of such a legal proceeding as soon as possible and shall provide the Legal Counsel with all relevant documentation and information for which to proceed with the matter.
3. The Senior Manager, Finance and Grants or the Chief Administrative Officer shall notify the County's insurance company as soon as possible of the legal proceeding.
4. Except to the extent that Lac La Biche County's insurer or the individual's own insurer provides a defence to a lawsuit and pays the costs related thereto, Lac La Biche County shall bear the cost for all reasonable legal fees associated with the subject legal actions provided that the legal proceeding is a result of a purported act, error or omission by the individuals, as the case may be, which arose as a result of the individuals discharging his or her duties for Lac La Biche County and that the purported action, omission or error occurred while the individual was acting in good faith.
5. Legal fees shall include lawyer's fees and disbursements, damages, court costs or any related costs levied on the individual named.

6. This policy shall also cover the legal fees of former County employees, Council Members, committee members or volunteers, subject to compliance with the provisions of clause 4, for claims made regarding incidents which occurred during their employment, term or appointment with Lac La Biche County.
7. When the County is responsible to pay legal fees, pursuant to this policy, the County is only obligated to pay the amount of any statement of account rendered which the Chief Administrative Officer, upon review of the account, determines are reasonable and prudently incurred.
8. Excluded from this policy is a legal action to disqualify a Council Member from remaining on Council. Any claim for reimbursement by a Council Member of costs incurred shall be considered in accordance with s. 179 of the *Municipal Government Act*, and is not subject to this policy.

“Original Signed”  
Chief Administrative Officer

March 17, 2016  
Date

“Original Signed”  
Mayor

March 21, 2016  
Date