

# Council Package

SPECIAL COUNCIL MEETING

March 20, 2020





**AGENDA  
TOWN OF LAMONT  
SPECIAL MEETING OF COUNCIL  
MARCH 20, 2020, 10:00 A.M.**

*\*In accordance with section 199 of the MGA, this meeting will include Councillors attending the meeting via electronic means.*

**1. CALL TO ORDER AND RELATED BUSINESS**

**1.1. CALL TO ORDER**

**1.2. ADOPTION OF AGENDA**

**1.3. DECLARATION OF PECUNIARY INTEREST**

**2. CANCELLATION OF MARCH 24, 2020 REGULAR MEETING OF COUNCIL**

**3. RESIGNATION OF COUNCIL MEMBER**

**4. ADJOURNMENT**



**TOWN OF LAMONT  
COUNCIL AGENDA  
REQUEST FOR DECISION**

AGENDA ITEM:

**COUNCIL MEETING DATE: MARCH 20, 2020**

**ITEM DESCRIPTION OR TITLE**

**Meeting Cancellation**

**RECOMMENDATION**

That Council cancel the March 24, 2020 Regular Council Meeting.

**BACKGROUND**

There are two members of Council that have recently travelled outside of the country and are under self-isolation. We also have recently received a Councillor resignation. This would leave only four (4) remaining members of Council. Administration and staff are dedicated to dealing with the coronavirus (COVID-19) situation.

As set out within Section 193 of the *Municipal Government Act* (MGA), if Council changes the date, time and place of a regularly schedule meeting, the municipality must give at least 24 hours notice of the change to any council member not present at the meeting at which the time change was made and to the public.

**COMMUNICATIONS**

The Public Notification Bylaw 09/18 allows for the communication of the meeting cancellation to be posted on the Town website, Town Facebook page along with a posting at the Town office. All of these means would be used to provide for communication of the change to ensure maximum exposure.

**IMPLICATIONS OF DECISION**

Any items that require decision could be dealt with at a future Council meeting. Further if any urgent matters arise, a Special Meeting could be called.

**FINANCIAL IMPLICATIONS**

N/A

**POLICY AND/OR LEGISLATIVE REFERENCES**

Section 193 MGA

**ATTACHMENTS**

None.



**TOWN OF LAMONT  
COUNCIL AGENDA  
REQUEST FOR DECISION**

Report Prepared By: Christine Beveridge, CAO

Approved by CAO:

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**TOWN OF LAMONT  
COUNCIL AGENDA  
REQUEST FOR DECISION**

AGENDA ITEM:

**COUNCIL MEETING DATE: MARCH 20, 2020**

**ITEM DESCRIPTION OR TITLE**

**Councillor Resignation**

**RECOMMENDATION**

1. That Council receive the Chief Administrative Officer's report regarding the resignation of Doug Pewarchuk as information.
2. That the Mayor execute the letter of request to the Minister of Municipal Affairs seeking a Ministerial Order to allow the Town of Lamont an exemption from conducting a by-election to fill the Council vacancy based on extenuating circumstances.

**BACKGROUND**

The Chief Administrative Officer (CAO) received the written resignation of Doug Pewarchuk as Councillor on March 11, 2020. Section 161(3) of the Municipal Government Act (MGA) states that the resignation is effective on the date it is received by the CAO. Section 161(4) of the MGA states the CAO must report the resignation at the first Council Meeting after receiving the resignation.

**Board and Committee Coverage**

A review of the Boards and Committee appointments has been completed. Mr. Pewarchuk was appointed as an alternate on two Council Committees, therefore, at this time, there is limited impact. During the next Council meeting, there may be a recommendation brought forward to fill the vacant Board and Committee positions. The Mayor will send an email to Councillors in the coming days seeking Councillors' availability so that appointments can be made without delay. Out-of-office responses have been placed on the Councillor's email.

**By-election**

The MGA is clear in its requirement for Council resignations, vacancies and municipal by-election dates. As the next general election is just over nineteen (19) months away in October 2021, and in accordance with section 162 of the MGA, a by-election must be held to fill the vacant Councillor position. Section 162 states that a Council must hold a by-election if the vacancy occurs within eighteen (18) months before a general election and there is only one (1) vacancy.



## **TOWN OF LAMONT COUNCIL AGENDA REQUEST FOR DECISION**

Given the extenuating circumstances that the municipality and the entire world is currently trying to manage, there is undoubtedly a lot of uncertainty surrounding the pandemic and what will occur over the next several months. Administration has prepared a letter to the Minister of Municipal Affairs (attached) relating to the conducting an election during this time. Further support towards requesting an exemption is that the resignation was received just forty (40) days over the eighteen (18)-month date, and this is not an exceptional request being made.

At the time of writing this report, Administration is recommending that the request to the Minister is necessary, timely and appropriate.

Under normal circumstances, Council is required to set the election date, and the date can be no later than one hundred twenty (120) days after the date that the vacancy occurs. In this case, the by-election must be conducted no later than July 9, 2020.

### **COMMUNICATIONS**

A communications advisory will be issued to notify the public of the Councillor's resignation.

### **IMPLICATIONS OF DECISION**

Council receiving information regarding a Councillor resignation, is required to proceed with next steps in conducting a by-election to fill the vacancy and to arrange coverage for Board and Committees where a vacancy has occurred as a result of the resignation.

Typically, there are no alternatives, as a by-election is required to be held in accordance with the Municipal Government Act and the Local Authorities Election Act and appropriate Board and Committee coverage is required to ensure the Town is represented appropriately, however given the unprecedented times we are currently faced with we are trying to find a solution with the Minister of Municipal Affairs.

### **FINANCIAL IMPLICATIONS**

N/A

### **POLICY AND/OR LEGISLATIVE REFERENCES**

- Municipal Government Act
  - o Section 161 – Councillor Resignation
  - o Section 162 – Vacancy in Position of Councillor
- Local Authorities Election Act



**TOWN OF LAMONT  
COUNCIL AGENDA  
REQUEST FOR DECISION**

**ATTACHMENTS**

Letter to Minister of Municipal Affairs

Report Prepared By: Christine Beveridge, CAO

Approved by CAO:

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March 20, 2020

Honourable Kaycee Madu  
Minister of Municipal Affairs  
Office of the Minister  
Municipal Affairs  
132 Legislative Building  
10800 – 97 Avenue  
Edmonton, Alberta  
T5K 2B6

VIA EMAIL: [minister.municipalaffairs@gov.ab.ca](mailto:minister.municipalaffairs@gov.ab.ca)

Dear Honourable Minister Madu:

These uncertain times are causing extenuating and extraordinary circumstances in the way that municipalities are required to conduct business.

Specifically, for the Town of Lamont, the CAO received a resignation on March 11, 2020 from one of our members of Council. At this time, we are seeking an exemption from conducting a by-election.

The first, and I feel the most impactful, reason is the current situation with the Coronavirus (COVID-19). Given the possibility of social distancing for a few months prospective candidates would be limited in their opportunity to campaign, the opportunity to hold the required advance voting would be limited, and it would restrict the ability to hold an election in 120 days. There are just far too many unknowns that we cannot anticipate a path forward at this time. As I am sure that you can relate, we have made decisions over the last few days that we have never considered making in the past.

In addition, this situation has already affected four out of the thirteen-member workforce of the municipality and we are just in the early stages of impact. At this point in time, the staff left are dealing directly with the essential services that must be provided to our residents. There is simply no additional time or resources to plan for a by-election. The safety of our staff and our residents is of the highest consideration in coming to this decision.





Another supporting reason is the timing within the legislation. This resignation was received a mere 40 days outside of the eighteen-month date wherein an election is not required to be conducted. As the Council is comprised of six Council members and a Mayor, quorum has not been an issue throughout the term.

In closing, it is felt that an exemption would relieve the pressure for the municipality to concentrate on the matters that are immediately urgent and require both the attention of Council and of our small team of Administration. The focus on essential services being provided to the residents is the only priority and above all other matters at hand.

Thank you for your consideration for this exemption and we look forward to hearing from you at your convenience.

Respectfully,

Bill Skinner, Mayor

cc: Deputy Minister Paul Wynnyk