

REGULAR MEETING OF COUNCIL - HELD OCTOBER 4, 2022

Regular Meeting of the Council of the County of Barrhead No. 11 held October 4, 2022 was called to order by Reeve Drozd at 9:01 a.m.

PRESENT

Reeve Doug Drozd
Deputy Reeve Marvin Schatz
Councillor Ron Kleinfeldt (departed at 3:18 pm)
Councillor Bill Lane (gone 10:00 am to 12:59 pm;
departed 2:32 pm)
Councillor Paul Properzi (departed at 3:18 pm)
Councillor Walter Preugschas
Councillor Jared Stoik

STAFF

Debbie Oyarzun, County Manager	Ken Hove, Director of Infrastructure
Pam Dodds, Executive Assistant	Jenny Bruns, Development Officer

ATTENDEES

Karen Gariepy and Tresa Brodersen - FCSS
Janet Hutchison (Hutchison Law) – (via video conference)

Barry Kerton - Town and Country Newspaper

APPROVAL OF AGENDA

2022-352 Moved by Councillor Lane that the agenda be approved with the following addition to information items:

Item 6.6 Letter from Alberta Carbon Grid RE: Carbon Sequestration Evaluation Agreement with Government of Alberta – dated October 3, 2022

Carried Unanimously.

MINUTES OF REGULAR MEETING HELD SEPTEMBER 20, 2022

2022-353 Moved by Deputy Reeve Schatz the minutes of the Regular Meeting of Council held September 20, 2022, be approved as circulated.

Carried Unanimously.

BARRHEAD STREET FESTIVAL COMMUNITY GRANT – FINAL REPORT

2022-354 Moved by Councillor Preugschas that Council receives for information the final report from Barrhead Street Festival as a grant recipient of \$1,500 under the Community Grants Policy.

Carried Unanimously.

BARRHEAD EXHIBITION ASSOCIATION & AGRICULTURAL SOCIETY (BLUE HERON FAIR) COMMUNITY GRANT – FINAL REPORT

2022-355 Moved by Councillor Lane that Council receives for information the final report from Barrhead Exhibition Association & Ag Society as a grant recipient of \$2,500 under the Community Grants Policy.

Carried Unanimously.

PROPERTY TAXES – REQUEST TO CANCEL PENALTY – ROLL # 520264017

2022-356 Moved by Deputy Reeve Schatz that Council deny the request for cancellation of penalties on tax roll 520264017.

Carried Unanimously.

ORIGINAL SIGNED – D. DROZD

Reeve

ORIGINAL SIGNED – D. OYARZUN

County Manager

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PROPERTY TAXES – REQUEST TO CANCEL PENALTY – ROLL # 330019000

- 2022-357 Moved by Deputy Reeve Schatz that Council deny the request for cancellation of penalties on tax roll 330019000.

Carried Unanimously.

Ken Hove joined the meeting at 9:32 a.m.

FIRE FIGHTING SERVICES – REQUEST TO CANCEL INVOICE

- 2022-358 Moved by Councillor Stoik that Council approve the request to cancel invoice #IVC00002540 for fire fighting services.

Defeated 4-3.

- 2022-359 Moved by Councillor Preugschas that Council approve reducing invoice #IVC00002540 for fire fighting services from \$750 to \$400.

Carried Unanimously.

PUBLIC WORKS REPORT

Ken Hove, Director of Infrastructure, reviewed the written report for Public Works and Utilities and answered questions from Council.

- 2022-360 Moved by Councillor Kleinfeldt that the report from the Director of Infrastructure be received for information.

Carried Unanimously.

Ken Hove departed the meeting at 10:00 a.m.

Councillor Lane and Barry Kerton left the meeting at 10:00 a.m.

RECESS

Reeve Drozd recessed the meeting at 10:00 a.m.

Reeve Drozd reconvened the meeting at 10:07 a.m.

Janet Hutchison joined the meeting via video conference at 10:07 a.m.

IN-CAMERA

- 2022-361 Moved by Councillor Properzi that the meeting move in-camera at this time being 10:07 a.m. for discussion on:

4.7.1 Council Code of Conduct (Bylaw 3-2017) – *FOIPP s. 17 Disclosure harmful to personal privacy; FOIPP s. 27 Privileged information*

Carried 6-0.

Pam Dodds departed the meeting at 10:07 a.m.

Councillor Stoik departed the meeting at 11:05 a.m. and rejoined at 11:12 a.m.

General consent was received from Council to accommodate the item on the table and extend beyond 12:00 pm by approximately 20 minutes.

- 2022-362 Moved by Councillor Stoik that the meeting move out of in-camera at this time being 12:22 p.m.

Carried 6-0.

Janet Hutchison departed the meeting at 12:22 p.m.

LUNCH RECESS

Reeve Drozd recessed the meeting at 12:22 p.m.

Reeve Drozd reconvened the meeting at 12:59 p.m.

Pam Dodds and Barry Kerton rejoined the meeting at 12:59 p.m.

Jenny Bruns joined the meeting at 12:59 p.m.

ORIGINAL SIGNED – D. DROZD

Reeve

ORIGINAL SIGNED – D. OYARZUN

County Manager

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APPOINTMENT OF ACTING CAO

Debbie Oyarzun, CAO, appointed Jenny Bruns as Acting CAO until D. Oyarzun's return to the meeting.

Debbie Oyarzun departed the meeting at 12:59 p.m.

DELEGATION - FCSS

Karen Gariepy, FCSS Executive Director, and Tresa Brodersen met with Council and provided updates on programs and facilities for FCSS.

2022-363 Moved by Councillor Lane that Council accept the report from FCSS representatives as information.

Carried Unanimously.

Council thanked Karen Gariepy and Tresa Brodersen for their report, and they left the meeting at this time being 1:15 p.m.

COUNCILLOR REPORTS

Councillor Lane reported on his attendance at an Ag Society meeting, BDSHA regional meeting, County Budget Priorities workshop, and Misty Ridge meeting.

Councillor Stoik reported on his attendance at the ASB meeting and County Budget Priorities workshop.

Deputy Reeve Schatz reported on his attendance at the ASB meeting, CFYE meeting, County Budget Priorities workshop, and Pembina Zone meeting.

Councillor Kleinfeldt reported on his attendance at a Library finance meeting, ECDC meeting, BARCC meeting, County Budget Priorities workshop, and YRL meeting.

Councillor Preugschas reported on his attendance at the ASB meeting, ECDC meeting, Attraction & Retention meeting, Barrhead Wellness meeting, Barrhead Truth & Reconciliation Day event, Barrhead Regional Fire Service Department Open House, visited Smoky Lake Metis Crossing, Hillcrest residents 90th Birthday celebration, and County Budget Priorities workshop.

Councillor Properzi reported on his attendance at the FCSS meeting.

Reeve Drozd reported on his attendance at an APPS engagement session with Minister of Justice & Solicitor General Tyler Shandro, ECDC meeting, Opening Ceremonies for Wildrose Rodeo, RMA Townhall for LGFF negotiations, webinar on APPS, County Budget Priorities workshop, LEPA meeting, MTM 4H Awards night, Pembina Zone meeting, True North Canada Strong & Free Networking Conference, and time spent on County office duties.

Councillor Stoik left the meeting at 1:55 p.m.

AGENDA INFORMATION ITEMS

2022-364 Moved by Councillor Kleinfeldt that the following agenda item be sent to Administration to provide further information to Council at a future meeting:

Letter from Alberta Carbon Grid RE: Carbon Sequestration Evaluation Agreement with Government of Alberta – dated October 3, 2022

Carried 6-0.

ORIGINAL SIGNED – D. DROZD

Reeve

ORIGINAL SIGNED – D. OYARZUN

County Manager

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- 2022-365 Moved by Councillor Properzi that the following agenda items be received as information:
- Letter from Minister of Justice RE: Anti-Semitism – dated September 28, 2022
 - Email containing Letters from RMA to Minister of Justice RE: APPS and VSU – dated September 21, 2022
 - Email from National Police Federation RE: Call to Action update – dated Sept 12, 2022
 - Brochure from GOA RE: Transition to APPS
 - BDSHA Minutes – July 28, 2022 and August 29, 2022
 - FCSS Minutes – June 16, 2022
 - Misty Ridge Minutes – April 13, 2022

Carried 6-0.

RECESS

Reeve Drozd recessed the meeting at 1:56 p.m.

Reeve Drozd reconvened the meeting at 2:09 p.m.

Debbie Oyarzun rejoined the meeting at 2:09 p.m. and resumed CAO responsibilities.

Jenny Bruns departed the meeting at 2:09 p.m.

CANCEL 50% OF 2022 TAXES – ALBERTA MUNICIPAL AFFAIRS & ALBERTA ENVIRONMENT AND PARKS

- 2022-366 Moved by Councillor Preugschas that Council cancel property taxes in the amount of \$13,927.30, representing 50% of the amount owed by Government of Alberta, in the name of Alberta Municipal Affairs and Alberta Environment and Parks with the remaining 50% to be paid to the County under the Grants In Place of Taxes program.

Carried 6-0.

REPORT – COUNTY MANAGER

Debbie Oyarzun, County Manager, reviewed the 2022 Council Resolution Tracking List and provided updates to Council;

- RMA Convention will take place November 7-10, 2022 in Edmonton
- Community Hall Strategy session to take place October 5, 2022 at Glenreagh Hall

Councillor Stoik rejoined the meeting at 2:22 p.m.

- County will be setting up a booth at the Annual Community Pumpkin Walk on October 28, 2022
- 2023 Budget Survey has been made available to residents
- Discussed in person and online opportunities for Elected Officials to take asset management training in preparation for the development of an Asset Management Policy and Strategy.

- 2022-367 Moved by Councillor Preugschas for Council to direct Administration to initiate the ICF process with the Town of Barrhead regarding the feasibility of the ADLC as a municipal facility.

Carried Unanimously.

ORIGINAL SIGNED – D. DROZD

Reeve

ORIGINAL SIGNED – D. OYARZUN

County Manager

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2022-368 Moved by Councillor Stoik for Council to direct Administration to draft a resolution for Council consideration on cellular coverage in the County with the timeline to support advocacy efforts at the RMA 2023 Spring Convention.

Carried Unanimously.

2022-369 Moved by Councillor Properzi to accept the County Manager's report as information.

Carried Unanimously.

IN-CAMERA

2022-370 Moved by Deputy Reeve Schatz that the meeting move in-camera at this time being 2:31 p.m. for discussion on:

4.7.1 Council Code of Conduct (Bylaw 3-2017) – *FOIPP s. 17 Disclosure harmful to personal privacy; FOIPP s. 27 Privileged information*

Carried Unanimously.

Pam Dodds and Barry Kerton departed the meeting at 2:31 p.m.

Councillor Lane departed the meeting at 2:32 p.m.

Janet Hutchison joined the meeting via video conference at 2:32 p.m.

Janet Hutchison departed the meeting at 3:13 p.m.

2022-362 Moved by Councillor Properzi that the meeting move out of in-camera at this time being 3:13 p.m.

Carried 6-0.

Barry Kerton rejoined the meeting at 3:13 p.m.

2022-363 Moved by Councillor Properzi that Council adopt the following resolution:

WHEREAS County Council received a Council Code of Conduct complaint in relation to Councillor Lane on August 16, 2022;

AND WHEREAS Councillor Lane provided Council with a written response to the complaint dated August 19, 2022;

AND WHEREAS Council in accordance with the Council Code of Conduct Bylaw 3-2017 determined on August 19, 2022, there were grounds to appoint an independent investigator and Council appointed Neuman Thompson LLP by Council resolution 2022-308 on August 25, 2022;

AND WHEREAS Council has received and reviewed the investigator's report, and notes Councillor Lane was interviewed by the independent investigator;

AND WHEREAS Councillor Lane was offered an opportunity to respond to the independent investigators report before Council on September 20, 2022, and advised he preferred a further written statement which Council has reviewed;

AND WHEREAS Council accepts it has an obligation to ensure all members of Council must abide by the Council Code of Conduct Bylaw ("the Code of Conduct") in performing their duties and responsibilities as elected officials and the Code of Conduct is intended to ensure all members of Council conduct themselves in a professional and courteous manner and in a manner consistent with the County's bylaws and policies;

THEREFORE BE IT RESOLVED THAT:

1. Council finds that Councillor Lane has breached sections 4(2)(b), 4(4)(a), 4(5)(a), 4(5)(c), 4(5)(d) and 4(5)(e) of the Council Code of Conduct Bylaw 3-2017;

ORIGINAL SIGNED – D. DROZD

Reeve

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County Manager

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2. In arriving at this decision, Council acknowledges that while Council itself is not subject to the County's Respectful Workplace Policy HR-003, all members of Council have an obligation under the Code to interact with County employees in a manner that is consistent with the Policy and maintains a respectful workplace for all County employees;
3. Council finds the appropriate sanctions for this violation of the Code are as follows:
 - a. A written apology to the complainants in a form acceptable to Council. Councillor Lane will provide the proposed form of apology to Council for review, in camera not later than October 17, 2022;
 - b. Council directs the Reeve to provide Councillor Lane with a written reprimand that reflects Council's decision;
 - c. Councillor Lane will attend educational and/or training session(s) regarding respectful workplace standards with a service provider of Council's choosing. The service provider's costs will be paid by the County as required by s.10(h) of the Code. Councillor Lane will bear the cost of any travel or accommodation associated with the training and no per diems will be paid for attendance at the training;
 - d. The service provider retained pursuant to paragraph (c) will provide Council with a written report on whether Councillor Lane has successfully completed the training and the report will include recommendations for further education or other measures, if the service provider determines that it is necessary or appropriate. Council directs the training and report to be completed by not later than November 30, 2022 unless Council directs an extension of time.
 - e. Councillor Lane will continue to refrain from:
 - i. Attendance at County owned facilities, except for Council or Committee meetings; and
 - ii. Participation in Council Committees, Commissions or board appointments, whether current appointments or appointments determined at the October 18, 2022, Organizational meeting, with the exception of:
 - Emergency Management Committee
 - Municipal Planning Commission

Until Council have received the report required by paragraph (d) and determined that no further educational sessions or similar measures are required and that Council will meet to make this decision not later than December 6, 2022, unless an extension is granted under paragraph (d).

Carried 6-0.

2022-364 Moved by Deputy Reeve Schatz that Council authorize the Reeve to draft a letter of reprimand to Councillor Lane with the support of legal counsel and that the letter of reprimand reflect Council's decisions on the Council Code of Conduct complaint.

Carried 6-0.

Councillors Properzi and Kleinfeldt departed the meeting at 3:18 p.m.

ADJOURNMENT

2022-365 Moved by Councillor Stoik that the meeting adjourn at 3:20 p.m.

Carried 4-0.

ORIGINAL SIGNED – D. DROZD

Reeve

ORIGINAL SIGNED – D. OYARZUN

County Manager