

Official Administrator Report Review and Approval of Council Meeting Minutes

Special Council Meeting: January 10th, 2023

Resolution No.	Motion	Council Decision	OA Response	Comments
230110-01	Motion that Council accept the Agenda as presented	CARRIED UNANIMOUSLY	ALLOWED	
230110-02	Motion that Council accept the presentation from administration as information.	CARRIED 4-2 FOR Mayor Jeff Colvin Deputy Mayor Foat Councillor Funk Councillor Hanley OPPOSED Councillor Dean Councillor Narayan	ALLOWED	See below
230110-03	Motion that Council concurs and agrees with the Administration presentation to reject and opposes the Draft Inspection Report issued MSD; 40/22 on the basis of alleged breaches to the Public Inquires Act; alleged breaches to Natural Justice and Procedural Fairness; and alleged lack of evidence found in the draft report within the Ministerial Order MSD; 40/22.	CARRIED 4-2 FOR Mayor Jeff Colvin Deputy Mayor Foat Councillor Funk Councillor Hanley OPPOSED Councillor Dean Councillor Narayan	ALLOWED	See below
230110-04	Motion that Council rejects and opposes the Draft Inspection Report issued MSD; 40/22 on the basis of alleged breaches to the Public Inquiries Act; alleged	CARRIED 4-2 FOR Mayor Jeff Colvin	ALLOWED	See below



OA Initials

January 17, 2023
Date

Municipal Government Act,

Section 575(1) The Minister may at any time appoint an official administrator to supervise a municipality and its council.

Section 575(2) So long as the appointment of an official administrator under this section continues.

- (a) No bylaw or resolution that authorizes the municipality to incur a liability or to dispose of its money or property has any effect until the bylaw or its resolution has been approved in writing by the official administrator, and
- (b) The official administrator may at any time within 30 days after the passing of any bylaw or resolution disallow it, and the bylaw or resolution so disallowed becomes and is deemed to have always been void.

Legend: Approved – Bylaw or resolution approved

Disallowed – Bylaw or resolution is void

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	breaches to Natural Justice and Procedural Fairness; and alleged lack of sufficient evidence were found in the draft report within the Ministerial Order MSD; 40/22.	Deputy Mayor Foat Councillor Funk Councillor Hanley OPPOSED Councillor Dean Councillor Narayan		
230110-05	Motion to amend the motion as Councillor Dean proposed	DEFEATED 2-4 FOR Councillor Dean Councillor Narayan OPPOSED Mayor Jeff Colvin Deputy Mayor Foat Councillor Funk Councillor Hanley	ALLOWED	See below
230110-06	Motion that Council authorizes the Mayor to write a letter to the Minister of Municipal Affairs to request a meeting to remedy the Municipal Inspection Procedures for the City of Chestermere. If the Minister's Office agrees to the meeting this Council authorizes the Mayor, Deputy Mayor, and other City Representatives to attend in person at the Minister's preferred date and time.	CARRIED 4-2 FOR Mayor Jeff Colvin Deputy Mayor Foat Councillor Funk Councillor Hanley OPPOSED Councillor Dean Councillor Narayan	ALLOWED	
230110-07	Motion that Council adjourn the meeting at 4:31 p.m	CARRIED UNANIMOUSLY	ALLOWED	

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I have been appointed Official Administrator of the City by the Minister of Municipal Affairs pursuant to Ministerial Order MSD082/22. The Minister of Municipal Affairs Letter to His Worship Mayor Colvin regarding my appointment states:

I have taken this action at this time because I am deeply troubled by the continued escalation of conflict within council, as demonstrated at the September 20 and 27, 2022, council meetings where council launched 100 investigations for alleged code of conduct complaints. The use of the code of conduct in this manner, and to this magnitude, indicates a degree of intra-council conflict that I believe puts at risk council's ability to govern effectively and in the best interests of your residents. In that light, I believe it is necessary to take immediate action to protect the public's interest in good governance and to promote the functionality of council.

The resolutions made at the Special Council Meeting of the City of Chestermere (the "City") on January 10, 2023 are allowed, however, I provide the below comments on these resolutions.

Resolutions 230110-03-230110-06 relate the Draft Inspection Report of George Cuff which I understand has been shared with the City. I have not been provided a copy of the Draft Inspection Report. As such, I am in a difficult position. The purpose of my appointment is to protect the public's interest in good governance and promote the functionality of council. I cannot consider the merits of the resolutions or if the position the City is taking has any legal foundation as I have not been provided the Draft Inspection Report.

From my review of the Agenda Materials for the January 10, 2023 Special Council meeting it appears that the City is being provided an opportunity to comment on the Draft Inspection Report and provide a rebuttal to any portions of the Draft Inspection Report it disagrees with before the report is finalized and becomes public. In rejecting the Draft Inspection Report, the City is foregoing that opportunity.

I have allowed Resolutions 230110-03-230110-06 but I make no comment on the merits of these resolutions.

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I also comment on Motion 230110-05. This motion does not identify what the amendment being proposed to what is now Resolution 230110-06. This is poor practice. The purpose of minutes is to record what has been decided and provide transparency and public accountability regarding Council decisions. In reviewing these minutes, a reader could not know what amendment Councillor Dean proposed. I recommend that Council consider their motions carefully to ensure that they reflect the decisions of Council and that a reader can understand the decision Council has made. The minutes should be amended accordingly to include the actual amending resolution.



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