

**SUMMER VILLAGE OF WEST COVE**

**MNUTES**

For the regular meeting of the Council of the Summer Village of West Cove, held at 7:00 p.m. Thursday, February 19, 2015, at the Community Hall in West Cove, Alberta.

Present: Mayor Don Henderson  
Councillor Lynne Worden  
Councillor Dave Breton  
Administrator Anita Blais  
Municipal Affairs representative: Michael Scheidl  
Municipal Affairs representative: Sara Alhstrom

1. **Call to Order:**

The mayor called the meeting to order at 7:00 p.m.

**Municipal Affairs presentation**

The mayor welcomed Michael Scheidl and Sara Alhstrom from Municipal Affairs. Mediation and Cooperative Processes is their area of expertise. It is possible to engage the public in this process, depending on the direction council wants to go. Presentation is attached to the minutes. Council needs to decide what they want to achieve with this process if the grant application is approved. There are also private mediators that can be hired outside of the grant process. Can request timing extension waiver to back date if council chooses to go private before grant approval. Can be done if there are time constraints involved. The mayor thanked them for coming. Micheal and Sara left the meeting at 7:55 pm. The mayor called for a five minute recess. The meeting resumed at 8:00 p.m.

2. **Agenda:**

**RESOL. 15-021**

**MOVED** by Councillor Worden to adopt the agenda as drafted.

Recorded vote: Mayor Henderson – yes, Councillor Worden – yes, Councillor Breton – no

**CARRIED**

3. **Minutes:** January 29, 2015 & October 27, 2014

**RESOL. 15-022**

**MOVED** by Councillor Worden to adopt the January 29, 2015 minutes as drafted

Recorded vote: Mayor Henderson - yes, Councillor Worden – yes, Councillor Breton – no

**CARRIED**

4. **Business Arising from Minutes:**

(a) Lagoon cat tail removal quote:

**TABLED**

(b) ACP grant: Administration has applied for the grant, received for information.

**RESOL. 15-023**

**MOVED** by councillor Breton: I Councillor Dave Breton make a motion to remove the motion made by mayor Henderson to transfer money from reserves to cover the additional legal fees as no motion was ever made nor voted on. I would like a recorded vote.

Recorded vote: Mayor Henderson - no, Councillor Worden – no, Councillor Breton – yes

**DEFEATED**

**RESOL. 15-024**

**MOVED** by councillor Breton: I make a motion that we listen to the tape immediately and set this issue to rest. I would like a recorded vote.

Recorded vote: Mayor Henderson - no, Councillor Worden - no, Councillor Breton - yes

**DEFEATED**

**RESOL. 15-025**

**MOVED** by councillor Breton: I move that because the special council meeting of October 11, 2014 was held without notice to the public and was held at a private residence that all motions passed at this meeting be rescinded as per section 197 (3) of the MGA.

Recorded vote: Mayor Henderson - no, Councillor Worden - no, Councillor Breton - yes

**DEFEATED**

**NEW BUSINESS**

**5. Council Reports**

Mayor Henderson: MSP meeting: Report is attached to the minutes. Requirement for CAO to meet with county about FCSS. Shauna Londeau is our representative. The CAO will ask Shauna to attend as well. Next joint meeting is June 6, 2015, Silver Sands is hosting at Fallis.

**RESOL. 15-026**

**MOVED** by councillor Worden that the mayor sign the fire services agreement

Recorded vote: Mayor Henderson - yes, Councillor Worden - yes, Councillor Breton - yes

**CARRIED**

**6. Public Works**

(a) Docks & boat lifts: Need to find out more about insurance and how it is working in other summer villages. **TABLED**

(b) Lagoon report: received for information.

**7. Financial matters:**

(a) Financial Statement:

**RESOL. 15-027**

**MOVED** by mayor Henderson to adopt the financials.

Recorded vote: Mayor Henderson - yes, Councillor Worden - yes, Councillor Breton - no

**CARRIED**

(b) Accounts: Received for information.

(c) Budget meeting: Thursday, March 12, 2015 at 7 pm at the hall.

(d) MSI grant: Approval for \$50,000 for new maintenance hall and \$35,850 for hall renovation was received for information.

**8. Development & Assessment**

(a) SDAB: appeal on decision, bylaw

**RESOL. 15-028**

**MOVED** by mayor Henderson to amend the bylaw and bring the fees on par with other SDAB boards.

Recorded vote: Mayor Henderson - yes, Councillor Worden - yes, Councillor Breton - yes

**CARRIED**



**RESOL. 15-029**

**MOVED** by Councillor Breton that because Don and Wendy Henderson were named as complainants at the SDAB hearing that Don abstain from voting on this issue as he is in conflict of interest.

Recorded vote: Mayor Henderson – no, Councillor Worden – no, Councillor Breton – yes **DEFEATED**

**RESOL. 15-030**

**MOVED** by Councillor Worden not to appeal the Resler/Zeiner SDAB decision.

Recorded vote: Mayor Henderson - yes, Councillor Worden – yes, Councillor Breton – yes

**CARRIED**

**RESOL. 15-031**

**MOVED** by Councillor Breton not to appeal the Muir/Miller SDAB decision.

Recorded vote: Mayor Henderson - no, Councillor Worden – no, Councillor Breton – yes

**DEFEATED**

**RESOL. 15-032**

**MOVED** by Councillor Worden to appeal the Muir/Miller SDAB decision.

Recorded vote: Mayor Henderson – yes, Councillor Worden – yes, Councillor Breton – no

**CARRIED**

**9. Safety Matters**

(a) Working Alone Policy:

**TABLED**

**10. Taxation and Administration**

(a) Lawsuit – The CAO announced that a lawsuit had been filed. Mayor Henderson indicated that he had a pecuniary interest and could not be part of the discussion. Councillor Worden also indicated that she had a pecuniary interest and could not take part in the discussion. Mayor Henderson and councillor Worden left the meeting at 8:43 pm. Mayor Henderson and councillor Worden returned at 8:49 pm. Councillor Worden spoke to councillor Breton: Dave, I believe you had a pecuniary interest in the matter just discussed and you should seek legal counsel regarding that

(b) Ministerial Order: covered under item (a).

(c) WCB return: annual return filed on February 10, 2015. Received for information.

(d) Legal costs: the CAO has brought all the invoices for councillor Breton to review after the meeting.

(e) Mail boxes: There has been no response from Canada Post. Delphine Teierle offered to assist administration in working with Canada Post.

(f) AUMA letter: received for information.

(g) Municipal Affairs seminars:

**TABLED**

(h) Correspondence from ratepayers: the CAO read an email from Debbie Appleby thanking the CAO, Mayor Henderson and Councillor Worden. Councillor Worden asked the CAO to respond to Debbie thanking her for the email.

**RESOL. 15-033**

**MOVED** by Councillor Breton that the website be set so that emails go to all three on council, council cannot respond until all three have agreed on a response.

Recorded vote: Mayor Henderson – yes, Councillor Worden – yes, Councillor Breton – yes

**CARRIED**

**11. In-camera discussions**

- (a) OIPC responses
- (b) Civil lawsuit
- (c) Personnel issue

**RESOL. 15-034**

**MOVED** by Councillor Worden to go in camera at 9:00 pm after a five minute break. **CARRIED**

**RESOL. 15-035**

**MOVED** by Mayor Henderson to go out of camera at 9:28 pm. **CARRIED**

**RESOL. 15-036**

**MOVED** by Mayor Henderson to rescind motion #14-129 with regards to Loretta Muir from the December 2014 meeting.

Recorded vote: Mayor Henderson – yes, Councillor Worden – yes, Councillor Breton abstained from voting as he said it was in same context as his issue. **CARRIED**

**RESOL. 15-037**

**MOVED** by Councillor Worden to disqualify Councillor Dave Breton as a Councillor of the Summer Village of West Cove and instruct the CAO to take any and all actions required to file with the Court of Queen's Bench to disqualify Mr. Breton as a Councillor and to recover the unauthorized expenditures, giving Mr. Breton sufficient time of at least 1 week to seek legal advice and give him opportunity to resign before proceeding with legal action, based on the following sections of the Municipal Government Act:

- 1) Section 174(1)(g) The Councilor contravenes Section 172.

(We believe Mr. Breton is in contravention of Section 172(1)(a), 172(1)(b), 172(1)(c) and 172(1)(d) - When a councillor has a pecuniary interest in a matter before the council, a council committee or any other body to which the councillor is appointed as a representative of the council, the councillor must, if present,

- (a) disclose the general nature of the pecuniary interest prior to any discussion of the matter,
- (b) abstain from voting on any question relating to the matter,
- (c) subject to subsection (3), abstain from any discussion of the matter, and
- (d) subject to subsections (2) and (3), leave the room in which the meeting is being held until discussion and voting on the matter are concluded.)

- 2) Section 174(1)(k) the councillor is liable to the municipality under section 249

(We believe Mr. Breton is in contravention Section 249(1)(a) A councillor who makes an expenditure that is not authorized under section 248 is liable to the municipality for the expenditure or amount spent.)

Recorded vote: Mayor Henderson – yes, Councillor Worden – yes, Councillor Breton abstained **CARRIED.**

**12. Assortment of Newsletter, Bulletins etc.:**

**13. Date of next Meeting: March 26, 2015**

14 **Adjournment:**

**RESOL. 15-038**

**MOVED** by Mayor Henderson to adjourn the meeting at 9:35 pm.

**CARRIED**

*Don Henderson*  
Mayor

*A. Blair*  
Administrator