



**AGENDA**  
**Bentley Town Council Regular Meeting**  
**Tuesday April 11, 2023**  
**6:45pm Regular Meeting**

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**1. Call to Order**

**2. Indigenous Acknowledgement**

**“We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands.”**

**3. Amendments & Acceptance of Agenda**

**4. Adoption of Previous Minutes:**

- a) Regular Meeting of Council March 28, 2023**

**5. Financial:**

- a) Prepaid Cheque Listing – Cheques No. 20230314 to 20230269**

**6. New Business**

- a) Bentley Minor Soccer Letter & Delegation**
- b) Subdivision Names (Re-Naming - New Beginnings Subdivision)**
- c) Bylaw 240/2023 a Bylaw to Repeal Bylaw 88-04 Bylaw to Appoint Elizabeth Smart as CAO**

**7. Correspondence**

- a) Council Highlights Lacombe County March 23, 2023**

**8. Other Business**

- a) Bylaw 127-2008 Procedural Bylaw (discussion surrounding delegations and decisions of Council)**

## **9. Council Reports**

- a) Mayor Rathjen**
- b) Deputy Mayor Grimsdale**
- c) Councillor Eastman**
- d) Councillor Valiquette**
- e) Councillor Hansen**

## **10. Adjournment**



## Minutes of the Regular of the Council of the Town of Bentley

March 28, 2023

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**Date and Place** Minutes of the Regular Meeting of the Council of the Town of Bentley held Tuesday, March 28, 2028, at 6:45 p.m., in the Bentley Municipal Office

**In Attendance** Mayor Greg Rathjen  
Deputy Mayor Grimsdale  
Councillor Hansen  
Councillor Valiquette  
Councillor Eastman  
CAO, Marc Fortais

**Call to Order** Mayor Rathjen called the regular meeting to order at 6:45pm

**Indigenous Acknowledgement** “We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands.”

**Read by Mayor Rathjen**

### Agenda

**Motion 96/2023** Moved by Councillor Hansen, “THAT the agenda of the March 28, 2023, regular meeting of mayor and council be accepted.”

**Carried**

### Previous Minutes

**Motion 97/2023** Moved by Deputy Mayor Grimsdale, “THAT the minutes of the March 28, 2023, Regular Meeting of Council be accepted.”

**Carried**

### Financial

a) **Prepaid Cheque Listing – Cheques No. 20230179 to 20230213**

**Motion 98/2023** Moved by Councillor Eastman, "THAT Cheques No. 20230179 to 20230213 be received for information."

**Carried**

## **New Business**

### **a) Delegation Bentley Farmer's Market – New Request for Funding**

**Motion 99/2023** Moved by Councillor Eastman, "THAT Mayor and Council approve the application for funding from the Bentley Farmers Market in the amount of \$5,000 to be used for fencing, staffing, cleaning supplies and cleaning costs."

**Carried**

### **b) Town of Bentley 2022 Financial Statements and Auditors Report**

- **Delegation Grant Stange (RSM0**
- **Mr. Stange presented the 2022 Financial Statements for the Town of Bentley.**

**Motion 100/2023** Moved by Deputy Mayor Grimsdale, "THAT Mayor and Council accept and approve the 2022 Consolidated Financial Statements and Independent Auditors report for the year ending December 31, 2022, as prepared and presented by RSM Ltd."

**Carried**

### **c) Bentley Library Request for funding**

**Motion 101/2023** Moved by Deputy Mayor Grimsdale, "THAT Mayor and Council approve a donation of \$600.00 to the Bentley Public Library in support of the 2023 Petting Zoo to be held during rodeo weekend."

**Carried**

## **Correspondence**

### **a) Council Highlights Lacombe County March 9, 2023**

### **b) Parkland Regional Library Annual Report**

### **c) Parkland Community Planning Update**

**Motion 102/2023** Moved by Councillor Valiquette, "THAT Correspondence items a) to c) be accepted as information. "

**Carried**

**Other Business**

None

**Adjournment**

**Motion 103/2023** Moved by Councillor Valiquette, "THAT the regular meeting of mayor and council be adjourned at 7:36pm."

**Carried**

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**Mayor Greg Rathjen**

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**CAO Marc Fortais**



# TOWN OF BENTLEY

## Cheque Listing For Council

2023-Apr-5  
11:00:21AM

Cheque		Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
Cheque #	Date					
20230214	2023-03-24	PROLINE POWER CORPORATION	230046	PAYMENT SHAW/TELUS CONSOLIDATION	13,994.26	13,994.26
20230215	2023-03-24	CANOE PROCUREMENT GROUP OF CANADA, D	AB156443	PAYMENT WASTEWATER ACTI-ZYME CHEM	6,704.78	6,704.78
20230216	2023-03-24	GIBSON, COLE	16032023	PAYMENT REIMBURSEMENT FOR MEAL AT	91.96	91.96
20230217	2023-03-24	LACOMBE COUNTY	IVC00043317	PAYMENT FEBRUARY 2023 FIRE PAYROLL	1,624.58	1,624.58
20230218	2023-03-24	LACOMBE REGIONAL WASTE SERVICES COMM	37390	PAYMENT 2023 LRWSC FIRST QUARTER RI	16,770.00	16,770.00
20230219	2023-03-24	MOUNTAIN AIR MECHANICAL LTD.	10714	PAYMENT LIBRARY FURNACE REPAIR	519.75	519.75
20230220	2023-03-24	PARKLAND COMMUNITY PLANNING SERVICES	21933 21934 21935	PAYMENT DAY TO DAY GIS BUILD, ENHANCEMENTS ANI BENTLEY - LACOMBE JOINT DEV	427.00 617.50 1,459.28	2,503.78
20230221	2023-03-24	SHAW CABLE	12032023	PAYMENT OFFICE INTERNET	131.25	131.25
20230222	2023-03-24	TOWN OF BLACKFALDS	IVC057990	PAYMENT MEMBER CONTRIBUTIONS	6,050.00	6,050.00
20230223	2023-03-24	MCELHANNEY LTD.	2431 207378	PAYMENT MEDICINE LODGE SKI MASTERP	26,507.25	26,507.25
20230224	2023-03-30	CARSON, BARBARA J				
20230225	2023-03-30	JENSEN, DARREN J				
20230226	2023-03-30	MEREDITH, SANDRA L				
20230227	2023-03-30	GIBSON, COLE C				
20230228	2023-03-30	DENNEHY, NATHAN				
20230229	2023-03-30	GREAVES, LORYANNE				
20230230	2023-03-30	FORTAIS, MARC C				
20230231	2023-03-30	KIKSTRA, ROBERT B				
20230232	2023-03-30	LOOV, CHRISTOPHER D				
20230233	2023-03-29	RECEIVER GENERAL	31032023 31032023	PAYMENT REDUCED EMPLOYMENT INSUR REGULAR EMPLOYMENT INSUR	21,296.70 270.28	21,566.98
20230234	2023-03-29	MCELHANNEY LTD.	2431 207773	PAYMENT MEDICINE LODGE SKI MASTERP	27,174.00	27,174.00
20230235	2023-03-30	CARSON, BARB	07022023 21032023	PAYMENT MILEAGE REIMBURSEMENT INTI REIMBURSEMENT MILEAGE LRE	29.50 29.50	59.00
20230236	2023-03-30	GREGG DISTRIBUTORS LP	059-532865	PAYMENT P.W. OFFICE SUPPLIES	53.56	53.56
20230237	2023-03-30	HOLDEN, KARI	30032023 357936	PAYMENT OFFICE JANITORIAL FOR MARCH FIREHALL JANITORIAL FOR MAR	225.00 210.00	435.00
20230238	2023-03-30	HOMEWOOD HEALTH INC.	H581732	PAYMENT EMPLOYEE AND FAMILY ASSISTA	100.80	100.80
20230239	2023-03-30	MCLAREN, CAROLYN	170	PAYMENT BENTLEY STAY & PLAY MARCH 2	388.65	388.65



# TOWN OF BENTLEY

## Cheque Listing For Council

2023-Apr-5  
11:00:21AM

Cheque #	Cheque Date	Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
20230240	2023-03-30	OUTLAW ELECTRIC LTD.	9700	PAYMENT ELECTRICAL REPAIR AT LIBRAR`	885.09	885.09
20230241	2023-03-30	SHAW CABLE	21032023 23032023	PAYMENT FCSS INTERNET PW SHOP INTERNET	124.95 73.50	198.45
20230242	2023-03-30	STANTEC CONSULTING LTD.	1790972	PAYMENT NEW BEGINNINGS FEASIBILITY :	635.61	635.61
20230243	2023-03-30	TRANSALTA ENERGY MARKETING	23-1298017 23-1298121	PAYMENT ELECTRICITY FOR STREET LIGH ELECTRICITY BILL FOR FEBRUAI	5,688.46 10,612.67	16,301.13
20230244	2023-04-04	CARSON, BARBARA J				
20230245	2023-04-04	JENSEN, DARREN J				
20230246	2023-04-04	MEREDITH, SANDRA L				
20230247	2023-04-04	GREAVES, LORYANNE				
20230248	2023-04-04	FORTAIS, MARC C				
20230249	2023-03-31	BENTLEY DISTRICT FIRE DEPARTMENT	20230967	PAYMENT ELEVATOR PRINT FUNDRAISER I	120.63	120.63
20230250	2023-04-05	BENTLEY & DISTRICT FARMERS MARKET	04042023	PAYMENT ANNUAL RECREATION CULTURA	5,000.00	5,000.00
20230251	2023-04-05	BENTLEY ESSO	31032023	PAYMENT VEHICLE/EQUIPMENT GAS/DIESI	1,207.54	1,207.54
20230252	2023-04-05	BENTLEY MUNICIPAL LIBRARY	04042023	PAYMENT DONATION FOR PETTING ZOO R	600.00	600.00
20230253	2023-04-05	BRANDT TRACTOR LTD.	05 4520816	PAYMENT GRADER BLADES	1,254.96	1,254.96
20230254	2023-04-05	CENTRAL SHARPENING LTD.	30121	PAYMENT SHARPEN ICE KNIFE AT ARENA	120.75	120.75
20230255	2023-04-05	EMPRINGHAM DISPOSAL CORP.	44880	PAYMENT RECYCLING FOR MARCH 2023	1,912.05	1,912.05
20230256	2023-04-05	FEDERATION OF CANADIAN MUNICIPALITIES	INV34030-S8H5	PAYMENT FCM MEMBERSHIP	462.07	462.07
20230257	2023-04-05	GREGG DISTRIBUTORS LP	059-531342 059-532368 059-533572 059-534290 059-534690	PAYMENT PW SHOP & FUEL/OIL SUPPLIES PW SHOP SUPPLIES & EQUIPMEI GARBAGE TRUCK PARTS TOOLS AND VEHICLE PARTS PW MAINTENANCE MATERIALS /	436.61 103.17 79.09 354.86 245.63	1,219.36
20230258	2023-04-05	INNOV8, DIGITAL SOLUTIONS INC.	IN401643 IN402295	PAYMENT FCSS PHOTOCOPIER OFFICE PHOTOCOPIER & MARC	30.00 1,032.27	1,062.27
20230259	2023-04-05	KEY AGVENTURES INC.	IR74448 IR74448A IR74454	PAYMENT ZEROTURN MOWER REBUILD PARKS & REC ZEROTURN MOWI PARKS & REC MOWERS PARTS	903.30 404.34 128.80	1,436.44
20230260	2023-04-05	MOUNTAIN AIR MECHANICAL LTD.	10719	PAYMENT LIBRARY FURNACE REPAIR AND	1,317.75	1,317.75
20230261	2023-04-05	PARKLAND REGIONAL LIBRARY	230022	PAYMENT 2ND QUARTER REQUISITION PA`	2,370.38	2,370.38
20230262	2023-04-05	PITNEY BOWES LEASING	3202166661	PAYMENT POSTAGE METER	242.24	242.24
20230263	2023-04-05	PITNEYWORKS	03042023	PAYMENT POSTAGE	1,080.00	1,080.00



# TOWN OF BENTLEY

## Cheque Listing For Council

Cheque		Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
Cheque #	Date					
20230264	2023-04-05	RIMBEY EXPRESS	2735	PAYMENT WATER SAMPLES & RETURN	137.50	137.50
20230265	2023-04-05	RSM ALBERTA LLP	6934741	PAYMENT 2ND & 3RD PROGRESS BILLING	18,900.00	18,900.00
20230266	2023-04-05	SECURITY WATCH OF CANADA INC.	11261	PAYMENT BENTLEY FIREHALL SECURITY	1,565.29	1,565.29
20230267	2023-04-05	TAXERVICE	03312023	PAYMENT TAXERVICE FEES FOR MARCH 2	304.50	304.50
20230268	2023-04-05	WASTE CONNECTIONS OF CANADA INC.	7425-00002515	PAYMENT COMMERICAL WASTE PICK UP F	1,107.35	1,107.35
20230269	2023-04-05	WILD ROSE ASSESSMENT SERVICES	8947	PAYMENT PROGRESS PAYMENT FOR APRIL	1,330.88	1,330.88

**Total 211,968.39**

\*\*\* End of Report \*\*\*



Town of Bentley Municipal Office  
4918 50 Ave  
Bentley, AB  
TOC OJO  
Attention: Chief Administrative Officer, Mr. Marc Fortais

February 7, 2023  
Re: Request for space for new soccer fields

Dear Mr. Fortais and Respective Bentley Town Council Members;

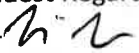
The Bentley Minor Soccer Association (BMSA) is asking your consideration in building a new outdoor soccer facility. Our club has seen rapid growth over the last number of years, and the need for updated fields is imperative to keeping our club moving forward. In the last ten years, Bentley Minor Soccer has gone from approximately 40 kids in the age categories of U6, U8, and U10, to last season, in 2022, a total of 107 kids registered in age categories from U5 to U15.

While we have been fortunate to use the Bentley Elementary field space, this is no longer suitable for a club of our size for a variety of reasons. First of all, as the elementary fields are a multi use space for soccer, track and field, school gym, school recesses, and the general public, the additional maintenance of the field has become cumbersome and expensive. Secondly, as we have grown, so too, have the number of competitive teams and subsequent games. As such, there are often nights of play where there is simply not enough space for all teams to practice safely and adequately. Lastly, this multi use space has continued to deteriorate year after year, with a potential cause being dew worms. Each of these issues present a safety hazard for the children participating.

The BMSA feels the construction of a new outdoor space would bring even more youth to the game, as well as a sense of pride for the general public of Bentley. A new outdoor space would allow our teams more games and practice times, as well as open up pitch time to host additional games and tournaments in the future. Every year for the past approximately 8 years, the BMSA has hosted a U9 Development Tournament. This tournament sees 12 teams, bringing approximately 150 players and their families to the town of Bentley. Having proper field space would allow us to continue and expand on the success of this tournament, benefiting the small businesses of Bentley as a whole.

In conjunction with the proposal to further develop the Town of Bentley to the South and West, the members of the BMSA feel it is a timely opportunity to incorporate the development of a new outdoor soccer facility. Furthermore, in order to make this space more inclusive, the area could also include areas such as a running track, green space, playground, picnic area etc. The benefit of a space such as this is a healthy, vibrant community that will continue to draw people to the beautiful town of Bentley. The BMSA is greatly willing to assist with this endeavour by soliciting donations from the business community for the construction of the facility, once the suitable land has been procured. The BMSA cordially requests a meeting with you and the appropriate personnel. Thank you for your attention to this matter; the BMSA looks forward to speaking with you soon.

Kindest Regards,

  
Michelle Lundy  
Vice President, Bentley Minor Soccer Association  
Ph. 780-242-9663  
Email. mm@ualberta.ca



**Agenda Date:** April 11, 2023

**Agenda Item:** New Business: Re-naming New Beginnings Subdivision

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### **ADMINISTRATIVE RECOMMENDATION**

THAT Mayor and Council provide recommendations for a new name for the New Beginnings Subdivision; AND

THAT Administration undertake a survey of the recommended names provided by the Mayor and Council so that the Public in the Town of Bentley has an opportunity to vote and select the best name possible for the subdivision.

### **SUMMARY & BACKGROUND**

The New Beginnings subdivision began through the creation of the Summersault Area Structure Plan in 2014. The overarching plan covers 17.81 hectares (44 acres of land). The area is legally described as S.W. 26-40-I-W5M and is located in the northeaster portion of the Town of Bentley to the north of 55<sup>th</sup> Avenue and east of 49<sup>th</sup> Street.

A development agreement was signed in January of 2014 and a Bylaw was passed on August 19, 2014. This area included the former Northeast Area Structure Plan, which was adopted in 1993.

The plan was intended to establish the framework for the future subdivision and development of the lands included in the Area Structure Plan. By 2018 a foreclosure order was issued in relation to the proposed subdivision, and subsequently the town acquired the land through the issuance of borrowing bylaw 207/2018 for \$675,000.

In May of 2019 an additional borrowing bylaw was approved in the amount of \$512,000, this coupled with the \$160,000 deposit that the town held from the developer completed the initial servicing of the multi family lots within the subdivision.

The subdivided lands and completed multi family lots were named New Beginnings Subdivision (Attachment #1) through previous administration and council. Due to many factors including COVID, and lack of interest in multi family housing in Bentley the lots did not sell and there was little interest in them.

In March of 2020 Mayor and Council approved Bylaw 216/2020 to create general architectural controls to ensure that the development of all principal buildings in the R2B district would require to be constructed in a way that contributes to an attractive and aesthetically pleasing appearance along the public street.

Since that time and beginning In October 2021 administration revisited the subdivision and Mayor and Council supported a re-configuration of the lots to Single Family Dwelling Lots (Attachment #2). It has taken some time, but the services are consolidated, they have been upgraded to 200 amp servicing and the descriptive plan showing the lot consolidations has been registered at land titles. The additional costs for re-servicing was completed under budget for a total of \$134,022.00.

## **RATIONAL FOR RECOMMENDATION**

- Through a strong commitment from Mayor and Council's the work was completed in a reasonable time frame and at a cost that came in under budget. The lots are now ready to be re-listed for sale as Single Family Dwelling lots for reasonable prices. They will be advertised on the Town's new website, which is scheduled to launch in the next couple of weeks.
- This is an exiting time for Bentley and there was significant feedback from the public during the public open house held on July 5, 2022, that consideration should be given to changing the name of the subdivision.
- Prior to aggressively marketing the lots, Council should have the opportunity to consider renaming the lots, to positively reflect the new opportunity to invest in affordable housing in an amazing area of the Town of Bentley.

## **BUDGET AND FINANCIAL CONSIDERATIONS**

- Reconfiguration costs totaled \$134,022.00 and the original budget was estimated at \$237,226.89 and was presented to Mayor and Council at an open public meeting on July 12, 2022.
- Significant savings were obtained in the water consolidations costs due to the successful company transitioning between jobs and less costs in mobilization and demobilization. In addition, no contingency was needed as costs came in on or underbudget.

## **ATTACHMENTS**

- 1.) Original Subdivision Map
- 2.) New Subdivision Map

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Marc Fortais, CAO



106.19

211.01  
108.24  
247.56

335.50  
386.83

93.39  
15.00  
15.00

**48A Street  
Close**

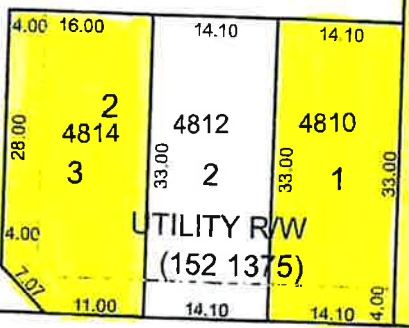
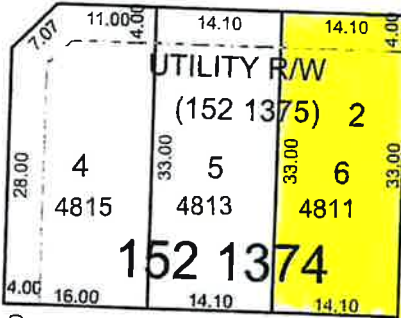
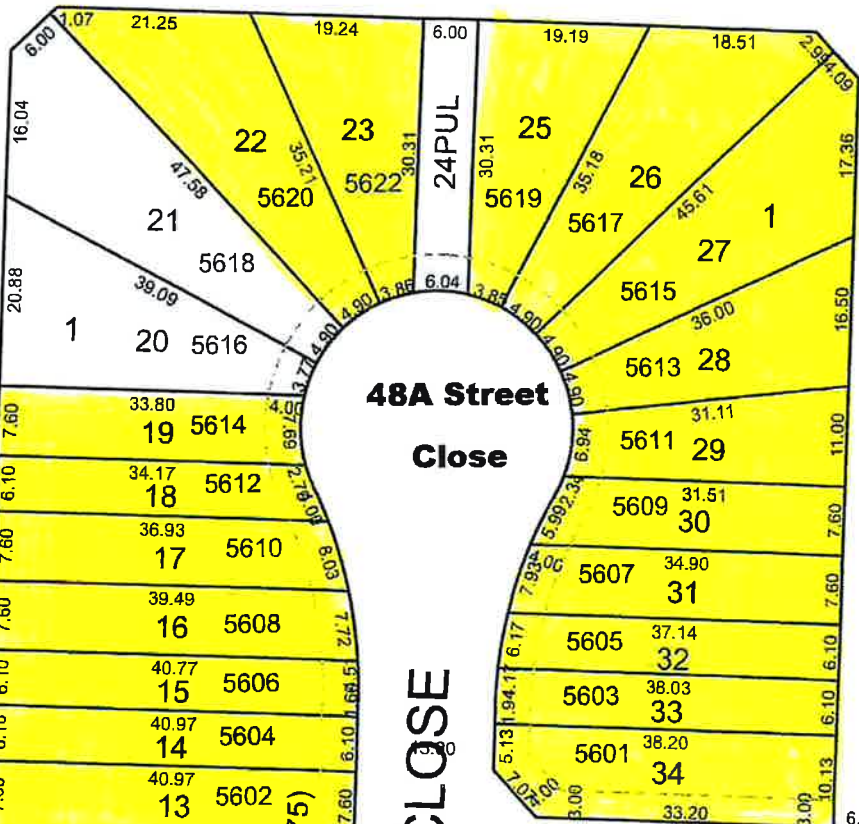
**48A ST. CLOSE**

**48A  
Street**

**56 AVE**

**152 1374**

**55 AVE**



*BALANCE  
35+/-  
ACRES*

LAND TITLES OFFICE  
 PLAN No. **232 0333**  
 ENTERED AND REGISTERED  
 ON **February 2, 2023**  
 INSTRUMENT No. **232 038 374**  
*Merlyn Cajigas*  
 A.D. REGISTRAR  
 N.A.L.R.D.

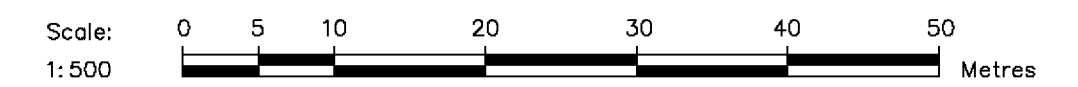
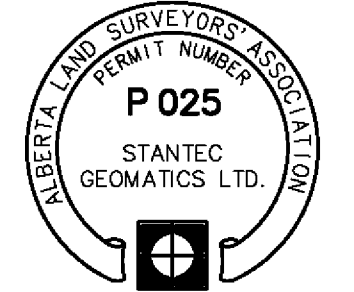
**BENTLEY, ALBERTA**  
**NEW BEGINNINGS**

DESCRIPTIVE PLAN SHOWING  
**CONSOLIDATION**  
 OF ALL OF  
**PLAN 152 1374,**  
**BLOCK 1,**  
**LOTS 5 TO 19 INCLUSIVE,**  
**LOT 22, LOT 23,**  
**LOTS 25 TO 34 INCLUSIVE**  
**ALL WITHIN**  
**S.W. 1/4 SEC. 26, TWP. 40, RGE. 1, W. 5th M.**  
**DALLAS KUZEK, A.L.S.**

**2022**

**SURVEYOR**

**DALLAS KUZEK, A.L.S.**  
 FILE: 510129CD1



**NOTES**

- The Basis of this plan is as follows:  
 Datum: North American Datum 1983 (ORIGINAL)  
 Projection: Universal Transverse Mercator  
 Combined Factor: 0.999853  
 Reference Meridian: 117° West Longitude
- A field inspection was not carried out and boundaries have not been established on the ground.
- The Coordinate value of the geo-referenced point is:  
 N: 5,817,465.81  
 E: 700,804.72

**TABLE OF AREAS**

AREA REQUIRED		
FROM	PLAN 152 1374, BLOCK 1, LOT 5	0.031 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 6	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 7	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 8	0.031 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 9	0.031 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 10	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 11	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 12	0.031 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 13	0.031 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 14	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 15	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 16	0.031 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 17	0.029 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 18	0.022 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 19	0.026 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 22	0.048 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 23	0.036 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 25	0.036 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 26	0.047 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 27	0.048 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 28	0.034 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 29	0.028 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 30	0.025 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 31	0.028 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 32	0.023 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 33	0.023 ha.
FROM	PLAN 152 1374, BLOCK 1, LOT 34	0.037 ha.
<b>TOTAL</b>		<b>0.826 ha.</b>

**LEGEND**

- The Geo-referenced Point is shown thus: ○ RP
- Area to be registered shown bounded thus: ———
- List of abbreviations used on this plan:  
 SEC. denotes Section  
 TWP. denotes Township  
 RGE. denotes Range  
 M. denotes Meridian  
 A.L.S. denotes Alberta Land Surveyor  
 R/W denotes Right-of-Way  
 R denotes Reserve  
 N. denotes north  
 E. denotes east  
 S. denotes south  
 W. denotes west  
 ha. denotes hectare  
 PUL denotes public utility lot

**REGISTERED OWNER**  
 THE TOWN OF BENTLEY

**Stantec Geomatics Ltd.**  
 Executive Place  
 1100-4900 50th Street  
 Red Deer, Alberta  
 T4N 1X7  
 Tel. 403-341-3320  
 Fax. 403-342-0969  
 www.stantec.com



1  
**20**  
 PLAN 942 2564

A  
**20**  
 PLAN 4072 HW



**Agenda Date:** April 11, 2023

**Agenda Item:** New Business: Bylaw 240-2023 being a bylaw to repeal Bylaw 88-04 a bylaw to appoint Elizabeth Smart as the CAO for the Town of Bentley

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## **LEGISLATIVE REQUIREMENT/AUTHORITY**

**WHEREAS** in accordance with section 63(1) and (2) of the Municipal Government Act , Revised Statutes of Alberta 2000 Chapter M-26.

63(1) “A council of a municipality may, by bylaw, revise any of its bylaws or any one or more provisions of them in accordance with this section.

63(2) “A bylaw under this section may

- (a) Omit and provide for repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective.,” AND

**WHEREAS** Bylaw No 88-04, being a bylaw in the Town of Bentley in the Province of Alberta to appoint Elizabeth Smart as the CAO for the Town of Bentley; AND

**WHEREAS** Ms. Smart retired from the organization at the beginning of 2020 and therefore the Bylaw is no longer relevant.

**NOW THEREFORE**, The Council of the Town of Bentley, duly assembled, hereby repeals the following By-law:

**By-law No. 88-04 a bylaw to appoint Elizabeth Smart as CAO for the Town of Bentley**

This By-law No.240/2023 shall come into effect on the date of final passing thereof.

Read a first time this \_\_\_\_ day of April 2023

Read a second time this \_\_\_\_ day of April 2023

Read a third and final time and passed this \_\_\_\_ day of April 2023

## **SUMMARY AND BACKGROUND**

Administration continues to review bylaws and policies for the Town of Bentley. Through this process it was discovered that Bylaw 88-04 (**Attachment #1**), has never been repealed. The bylaw is no longer relevant as Ms. Smart left the municipality in early 2020 and in addition on November 29, 2019,



the minutes show there was a special meeting held by Mayor and Council to appoint Marc Fortais as the CAO for the Town of Bentley due to Ms. Smart's retirement (**Attachment #2**).

No new bylaw is needed to appoint Marc Fortas as the CAO as the resolution contained in the minutes from the November 29, 2019, meeting was sufficient to do so. In addition, the roles and responsibilities of the CAO are outlined in the CAO Bylaw 108-06 (**Attachment #3**). It should also be noted that there is a formally executed contract between the Town of Bentley and the current CAO.

The repeal of Bylaw 88-04 is a housekeeping item at this time.

## **BUDGET AND FINANCIAL CONSIDERATIONS**

- None

## **RECOMMENDATION:**

THAT Mayor and Council give three readings to Bylaw No. 240/2023 (**Attachment 4**) being a bylaw to repeal Bylaw 88-04, being a bylaw to appoint Elizabeth Smart as CAO.

## **ATTACHMENTS:**

- 1.) Bylaw 88-04 Bylaw to Appoint Elizabeth Smart as CAO
- 2.) Minutes November 29, 2019, Special Meeting
- 3.) Bylaw 108-06 CAO Bylaw
- 4.) Bylaw 240-2023 a bylaw to repeal bylaw 88-04

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Marc Fortais, CAO

## By-law No. 108/06

**A By-law of the Town of Bentley, in the Province of Alberta, respecting the establishment of the position of Chief Administrative Officer.**

**WHEREAS**, the Municipal Government Act, Chapter M26.1, Revised Statutes of Alberta, 1994, as amended, provides that Council must establish by By-law, a position of Chief Administrative Officer to carry out the responsibilities enumerated under the Municipal Government Act, Chapter M26.1, Revised Statutes of Alberta, as amended;

**AND WHEREAS**, Council will, by Resolution, appoint an individual to the position of Chief Administrative Officer and establish the terms and conditions of the Chief Administrative Officer's employment;

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF BENTLEY, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

### Purpose and Short Title

The purpose of this By-law is to establish the position of Chief Administrative Officer in the Town of Bentley and may be referred to as the "Chief Administrative Officer By-law"

### Definitions

1. "Council" shall mean the Council of the Town of Bentley
2. "Department Heads" shall mean those employees in charge of departments in the second line level as set out in the Town's Organizational Chart.
3. "Municipal Government Act" shall mean the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta, as amended
4. "Town" shall mean the Town of Bentley
5. "C.A.O." means the Chief Administrative Officer for the Town of Bentley





### **Chief Administrative Officer**

1. Council hereby establishes the position of Chief Administrative Officer
2. Council will, by Resolution, appoint an individual to the position of C.A.O and establish the terms and conditions of the C.A.O.'s employment.
3. The C.A.O. is authorized to delegate or authorize further delegation of any matter delegated to the C.A.O. by Council under this By-law or other By-laws of the Town of Bentley.
4. Except for the purpose of an official inquiry, the Council shall deal with all matters through the C.A.O. and shall not provide instruction to any subordinates of the C.A.O.

### **Powers, Duties, Functions**

In addition to the powers, duties and functions delegated to the C.A.O., pursuant to the Municipal Government Act or any other Provincial Statute, the C.A.O. will;

#### **A. Leadership & Direction**

1. Establish the structure of the Administration of the Town, including establishing, merging, dividing and eliminating departments and establishing a managerial hierarchy, administrative and reporting policies and procedures.
2. Establish policy and procedures for hiring all employees of the Town to carry out the powers, duties and functions delegated to those employees.
3. Manage, direct and coordinate the operations of the Town in accordance with established policies, plans and programs and new policies, plans and programs approved by Council.



**B. Advice, Information, Communication with Council**

1. Advise and inform Council in the operations and affairs of the Town.
2. Prepare and submit to Council such reports and recommendations as may be required by Council.
3. Attend all meetings of Council and Committees of Council and meetings of such Boards, Authorities or other bodies as are required by Council and assist in the decision making process by providing advise, guidance, consultation, financial and back ground information as may be required.
4. Inform Council of any local, regional or provincial government issues, challenges and initiatives that may affect the Town of Bentley
5. Advise Council and make recommendations concerning the financial condition of the Town and the policies and programs as may be necessary or desirable to carry out the powers, duties and function of the Town.

**C. Supervisory & Staff Management**

1. Hire, discipline, fire, promote, demote, or transfer any Town employee in accordance with established policy.
2. Direct, supervise and review Department Heads
3. Promote co-operation, teamwork and harmonious working relationships and good staff morale to achieve a high degree of quality work and productivity.
4. Encourage employees to work towards their full potential and support and encourage further development and staff training in accordance with established policy.
5. Promote, encourage and influence strong work ethics through example setting and credibility



**D. Fiscal Management, Control and Reporting**

1. Prepare and submit to Council the budget estimates of revenue and expenditures and capital programs annually.
2. Monitor and control municipal spending within the budgets established by Council.
3. Ensure the accounts for authorized expenditures referred to in Section 248 of the Municipal Government Act are paid.
4. Ensure that all accounting procedures are done in accordance with standard municipal account practices.
5. Ensure accurate records and accounts are kept of the financial affairs of the Town, including matters on which the Town's debt limit is based and matters included in the definition of debt for the Town.
6. Ensure assessments, assessment rolls and tax rolls for the purposes of Parts 9 and 10 of the Municipal Government Act are prepared.
7. Ensure the actual revenues and expenditures of the Town, as compared with the estimated in the operating and capital budget approved by Council, are reported to Council as often as Council directs.
8. Ensure all money belonging to or held by the Town is deposited in a bank, credit union, loan corporation, treasury branch or other financial institution designated by Council.
9. Ensure money invested by the Town is invested in accordance with Section 250 of the Municipal Government Act.

**E. Office Management & Administrative Matters**

1. Ensure all minutes of Council meetings are recorded in the English language without note or comment.
2. Ensure the minutes of each Council meeting are given to Council for adoption at subsequent a Council meeting.
10. Ensure the By-laws and minutes of Council meetings and other records and documents of the Town are kept safe.



11. Ensure that all minutes of Council meetings are signed in conjunction with the member of Council presiding at the meeting.
12. Ensure that all By-laws of the Town are signed in conjunction with the Chief Elected Official.
13. Ensure the Corporate Seal of the Town is kept in the custody of the C.A.O.
14. To review all requests of any person to obtain information in possession of the Town and to provide such information in accordance with the Municipal Government Act or the Freedom of Information and Protection of Privacy Act.
15. Authorize the entering into of contracts and/or the expenditures of funds where such contracts or expenditures have been approved by Council, either in the budget or otherwise.
16. Ensure all contracts and agreements are signed with any other person authorized by Council.
17. Conduct a census when required by Council and submit population affidavits in accordance with the requirement of the Municipal Government Act.
18. Ensure that the sufficiency of all petitions to Council be determined as set out in the Municipal Government Act.
19. Accept service of all notices and documents on behalf of the Town.
20. Provide certification of notices, decisions, documents and any other certificates or statutory declarations as provided for or required.

**F. Professional & Public Image**

1. Conduct such dealings with boards, land developers, engineers, utility companies, provincial/federal government departments, other municipalities, individuals, etc, as necessary to administer and promote the interests of the Town.



2. Present an image of professionalism, tact and courtesy in relationships with Council, Staff and interactions with the public.
3. Encourage staff co-operation and assistance with Community Organizations subject to resources available.

**G. Other**

1. Exercise such other powers, duties and functions as may be required by Council from time to time.

**Rescinding of By-law 513/91**

1. This By-law rescinds By-law No. 513/91

**Effective Date**

1. This By-law shall come into effect on the date of the final passing thereof.

Read a first time this 11th of July, 2006

Read a second time this 11th of July, 2006

Read a third and final time this 11<sup>th</sup> of July, 2006

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**BYLAW NO. 88/04**

**OF THE TOWN OF BENTLEY  
IN THE PROVINCE OF ALBERTA**

**A BYLAW TO APPOINT A CHIEF ADMINISTRATIVE OFFICER**

WHEREAS BYLAW NO. 77/03 established the position of Chief Administrative Officer and provides for the appointment of a Chief Administrative Officer, in and for the Town of Bentley.

NOW THEREFORE the Council of the Town of Bentley in the Province of Alberta, duly assembled, hereby enacts as follows:


1. Elizabeth Smart is hereby appointed to the position of Chief Administrative Officer.
2. Bylaw No. 77/03 is hereby rescinded.
3. This Bylaw shall come into force and effect upon passing.

READ A FIRST TIME this 8<sup>th</sup> day of June 2004.

READ A SECOND TIME this 8<sup>th</sup> day of June 2004.

READ A THIRD TIME this 8<sup>th</sup> day of June 2004.

And finally passed and adopted by the Council of the Town of Bentley this date in open Council.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer



**Bentley Town Council  
Special Meeting  
November 29, 2019**

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**Date & Place:** Minutes of the Special Meeting of the Council of the Town of Bentley held Friday, November 29, 2019, at 10:00 am, in the Bentley Municipal Office.

**Authorization & Purpose:** The meeting was called by Mayor Rathjen. All members of Council in attendance signed the waiver of notice of a Special Meeting.

The meeting was held for the purpose of discussing and acting upon the following items:

1. Hiring a new Chief Administrative Officer

**In Attendance:** Mayor Greg Rathjen  
Deputy Mayor Joan Dickau  
Councillor Cora Knutson  
Councillor Doug Talsma  
Councillor Neil Maki

**Call to Order:** Mayor Rathjen called the meeting to order at 10:00 am.

**Agenda:** Councillor Maki moved the agenda, as set out in the waiver of notice of a special meeting, be adopted.

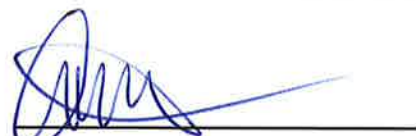
**Carried**

**Motion:** Moved by Deputy Mayor Dickau that Marc Fortais be appointed to the position of Chief Administrative Officer and Mayor Rathjen is authorized to enter into the Employment Agreement on behalf of Council.

**Carried**

**Adjournment:** **Motion:** Moved by Councillor Knutson that the meeting be adjourned at 10:12 am.

**Carried**

  
\_\_\_\_\_  
Mayor Greg Rathjen



**By-law No. 240/2023**

**Being a By-law of the Town of Bentley, in the Province of Alberta, to repeal Bylaw 88-04 a Bylaw to appoint Elizabeth Smart as the CAO for the Town of Bentley**

**WHEREAS** Bylaw No 88-04 being a bylaw in the Town of Bentley in the Province of Alberta to appoint Elizabeth Smart as the CAO for the Town; AND

**WHEREAS** Bylaw No. 88-04 is outdated and no longer relevant as per the appointment of CAO Marc Fortais through the special meeting minutes of the November 29, 2019, meeting of Bentley Town Council.

**NOW THEREFORE**, The Council of the Town of Bentley, duly assembled, hereby repeals the following By-law:

**By-law No. 88-04 a bylaw to appoint Elizabeth Smart as the CAO for the Town**

This By-law No. 240/2023 shall come into effect on the date of final passing thereof.

Read a first time this \_\_\_\_ day of April 2023

Read a second time this \_\_\_\_ day of April 2023

Read a third and final time and passed this \_\_\_\_ day of April 2023

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer





WHERE PEOPLE ARE THE KEY

## HIGHLIGHTS OF THE REGULAR COUNCIL MEETING MARCH 23, 2023

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### **SANDY POINT TRAIL**

A proposal was presented for the paving of Sandy Point Trail from Highway 12 A to Twp. Road 41-0. The project provides for subgrade preparation, base gravel installation and paving. The County Manager was authorized to issue a Request for Pricing for the paving of the Sandy Point Trail, and further, to award the County's portion of this trail (from Highway 12A to the entrance of the Lakewood Meadows subdivision) to the successful proponent at an upset cost of \$140,000.

### **OPERATIONS POLICY REVIEW**

Amendments to Policies OP (27) Utility Approach Inspections, OP (34) Bridge Material Inventory Management, and OP (44) Roadside Memorials received Council approval.

### **ROAD CLOSURE & SALE**

By resolution of Council, the County Manager was directed to proceed with the process to close Road Plan 442EO. The proposal is to close a portion of the Road Plan and sell it to the adjacent landowner so the property can be consolidated with his land on the Pt. NW 25-41-2 W5M (Plan 2222269, Block 1, Lot 1). This proposal will be circulated to interested parties for comment, and further, a report on the comments and cancellation request will be presented at the April 27, 2023 Council meeting.

### **NURSE PRACTITIONER SUPPORT**

By resolution of Council, support for the Nurse Practitioner Program will be provided by writing letters to MLA Ron Orr and MLA Jason Nixon urging that the Province of Alberta create a reimbursement model for Alberta Health Services that supports independent practice for Nurse Practitioners. Lacombe County will also share the current Nurse Practitioners 1 in 4 Albertans campaign via the County News and on social media platforms.

### **LACOMBE HISTORICAL SOCIETY**

A request for one-time additional funding in the amount of \$9,500 from the Lacombe and District Historical Society to cover their unexpected shortfall in provincial grant funding for 2023 received the approval of Council.

### **CLIVE ATHLETIC AND AGRICULTURAL SOCIETY CAPITAL FUNDING REQUEST**

An RC (1) funding request from the Clive Athletic and Agricultural Society for their Arena Ice Plant Upgrade Project was approved for funding of 46%, to a maximum of \$88,843, subject to the Society raising the balance of the funds towards the project.

### **MIRROR UTILITY ACCOUNT WRITE OFF**

Council reviewed the details of a billing account error identified by a utility customer in the Hamlet of Mirror. The cancellation of \$1,162.05 for incorrectly levied utility charges on the account for the period 2019 to 2021 received Council approval.

### **PROPERTY TAX CANCELLATION REQUEST**

Council reviewed a request from a property owner seeking the cancellation of a portion of the 2022 tax levy due to the complete loss of a commercial building by fire. Council approved the cancellation of the property taxes on the building applicable to the period May 5, 2022 to December 31, 2022 in the amount of \$5,495.



WHERE PEOPLE ARE THE KEY

### **FCM ALBERTA FOCUSED RECEPTION**

Sturgeon County is soliciting support from other rural municipalities to promote Alberta through educational presentations and entertainment at the upcoming 2023 Federated Canadian Municipalities (FCM) Convention in Toronto. Participating municipalities would have an opportunity to showcase their community through a video loop. Lacombe County will support the initiative by providing financial support to a maximum of \$5,000.

**Next Regular Council Meeting is**  
**Thursday, April 13, 2023 – 9:00 a.m.**

**Next Committee of the Whole Meeting is**  
**April 4, 2023 – 9:00 a.m.**

**Lacombe County Administration Building**

**\*\*For more details from Lacombe County Council meetings, please refer to the meeting minutes. All meeting minutes are posted on the website ([www.lacombecounty.com](http://www.lacombecounty.com)) after approval.**

## By-law No. 127/2008

**Being a By-law of the Town of Bentley, in the Province of Alberta, to regulate the proceedings and transactions of business by the Council of the Town of Bentley.**

**WHEREAS**, it is necessary to establish rules and procedures for the conduct of business in Council meetings, to control and maintain order in Council and to provide for the dealing of petitions, delegations and submissions to Council.

**NOWHEREFORE**, the Council of the Town of Bentley, in the Province of Alberta, duly assembled and pursuant to the authorities conferred upon it by the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, enacts as follows;

1. This By-law shall be cited as the "**Procedural By-law**"
2. In this By-law, the following **interpretations** shall apply;
  - a) "MGA" shall mean the Municipal Government Act, RSA 2000, Chapter M-26, and amendments thereto
  - b) "Committee of the Whole" means a meeting of the members of Council without the presence of the public and any representative of the press or other media
  - c) "Council" means the Council of the Town of Bentley
  - d) "Chair" means the Mayor, Deputy Mayor or other person presiding as Chairperson at any meeting of Council or a Committee thereof
  - e) "Public Hearing" is a meeting of Council held in accordance with Section 230 of the MGA
  - f) "CAO" shall mean the Chief Administrative Officer
  - g) "Agenda" shall mean the list of items and order of business of any meeting of Council as prepared by the CAO
  - h) "Point of Information" is a request to the Mayor or presiding member, or through the Chair to another member of Council or Town Staff, for information relevant to the business or item being discussed.
  - i) "Quorum" is a majority of members of Council in attendance at a meeting and eligible to vote
  - j) All other interpretations shall be the same as set out in the MGA



3. This Procedural By-law shall apply to all meetings of Council and, subject to the provisions of Section 203 of the MGA, all Boards, Committees and Authorities established by Council, unless Council has granted permission, by a simple majority decision, to establish their own procedures.

#### **4. Annual Organizational Meeting**

- a) The Annual Organizational meeting of the Council shall be held in accordance with Section 192 of the MGA
- b) In the event of a General Election, all elected members of Council shall take the official Oath of Office prior to Council carrying out any powers, duties or functions.
- c) The Deputy Mayor shall, upon appointment at the Annual Organizational Meeting, take the official Oath of Office for Deputy Mayor
- d) The following business shall be conducted at the Annual Organizational Meeting;
  - i) Appointment of Deputy Mayor
  - ii) Date, time and location of regular meetings
  - iii) Appointment of Signing Authorities
  - iv) Appointments to Boards, Committees and Commission as previously established by Council
  - v) Appointment of Auditor and Assessor
  - vi) Appointment of Director and Deputy Director of Disaster Services
  - vii) Any other similar business as is required by the MGA or as determined by Council

#### **5. Regular and Special Meetings**

- a) Regular meetings of Council shall be held on the dates, time and location as established by resolution of Council at the Annual Organizational Meeting. Council may, from time to time, by resolution passed at a duly constituted meeting, change a regular meeting date and/or time.
- b) Special meetings shall be called and held in accordance with Section 194 of the MGA.



- c) In the event a member of Council arrives late to a meeting or departs prior to the completion of the meeting, the CAO (or as designated by the CAO) shall record the time of arrival and departure.
- d) If a quorum is not present within fifteen (15) minutes after the time fixed for the Regular or Special meeting, the CAO (or as designated by the CAO) shall record the names of the members present and the Council shall stand adjourned until the next Regular or Special meeting.
- e) In the event the Mayor or Deputy Mayor is not in attendance within fifteen (15) minutes after the time fixed for the Regular or Special meeting and a quorum is present, the CAO shall call the meeting to order and a Chairperson shall be appointed by the Councillors present and shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.
- f) Unless otherwise required by this By-law, the MGA or any other enactment, a simple majority vote of those members present shall be sufficient to pass a resolution or pass first, second or third reading of a By-law.
- g) The length of time for a Regular or Special meeting shall not extend past three (3) hours from the time of commencement unless a motion has been passed by simple majority to extend the meeting. Said extensions may be in half hour increments, however, no meeting shall be longer than four (4) hours.
- h) Notice of Regular meetings shall be published on the calendar of the Neighborhood Notes, published monthly and on the Town of Bentley Website.
- i) Notice of Special meetings shall be given by posting a notice on the bulletin board at the Town Office and on the Town of Bentley Website.

**6. Meeting Conduct Sections 193 to 200 inclusive of the MGA**

- a) The Mayor or the member presiding over the meeting
  - i) shall maintain order and preserve decorum of the meeting
  - ii) shall decide points of order without debate or comment other than to state the rule governing
  - iii) shall determine which member has the right to speak



- iv) shall ascertain all members who wish to speak on a motion have spoken and all members are ready to vote by asking "Are you ready for the question?" and shall thereafter call for the vote
  - v) shall rule when a motion is out of order
  - vi) shall expel members of the public who are exhibiting improper conduct and may direct that such person or persons be removed by a peace officer
- b) Members of the public who attend a Council meeting shall
- i) remain quiet and seated
  - ii) shall not address Council unless they are on the Agenda as a delegation.
  - iii) Notwithstanding 6. b) iii, if Council believes a member of the public can provide information relative to the item being deliberated by Council, Council may, by unanimous vote, ask the member of the public to provide said information.
- c) When a member of Council or a member of the public as a delegate to Council is addressing the Chair, every other member attending the meeting shall
- i) remain quiet and seated
  - ii) not interrupt the speaker
  - iii) not carry on a private conversation
- d) When a member of the public as a delegate to Council is addressing Council, the delegate shall
- i) not reflect on any vote of Council except when asking to rescind the vote and when doing so shall not reflect on the motives of the members of Council who voted for the motion or the mover of the motion
  - ii) not shout or raise their voice or use profane, vulgar or offensive language, and



- ii) assume personal responsibility for any statement they quote to Council or shall give the source of the information. Unfounded information or hearsay will be disregarded by Council
- e) No member of Council or the public as a delegate to Council shall
  - i) speak disrespectfully to any person
  - ii) use offensive words in or against the Council or any member thereof or any official or employee of the Town
  - iii) resist this By-law or disobey the decision of the Chair or the Council on any question of privilege or point of order or upon the interpretation of this By-law
- f) When a person is called to order by the Mayor or other presiding officer, such person shall immediately cease speaking and shall not speak further unless and until recognized by the Chair.
- g) The following motions are not debatable by Council;
  - i. Adjournment
  - ii. Take a recess
  - iii. Question of privilege
  - iv. Point of order
  - v. Limit debate on the matter before Council
  - vi. Division of a question
  - vii. Defer the matter to another meeting

## 7. Voting

- a) voting shall be governed by Section 182 to 186 of the MGA
- b) a recording of who voted in favour or against a motion shall only be entered into the minutes when a member of Council asks for a recorded vote prior to the vote being held

## 8. Agendas

- a) Prior to each regular meeting, the CAO (or as designated by the CAO) shall prepare a statement of the order of business to be known as the "Agenda" of all business to be brought before the Council at such meeting.

- b) To enable the CAO to prepare the Agenda, all documents and notice of delegations intended, shall be submitted to the CAO not later than five (5) working days before the date on which the meeting is scheduled
- c) The CAO shall have prepared and make available to each member of Council a copy of the Agenda and all supporting materials not later than 4:00 p.m., no less than three (3) working days before the date on which the meeting is scheduled
- d) In the event the deadlines as set out in Clause 7 c) are not met, the Agenda and supporting materials shall be deemed to be acceptable by Council when the Agenda is adopted at the regular meeting.
- e) Prior to the Motion to adopt the agenda, Council may add or delete an item. Said motion should be to adopt the agenda as amended.
- f) The normal order of business for regular meeting will be as follows;
  - 1. Call to Order
  - 2. Amendments & Acceptance of Agenda
  - 3. Adoption of Previous Minutes
  - 4. Financial
  - 5. Delegation Times
  - 6. Unfinished Business
  - 7. By-laws & Policies
  - 8. New Business
  - 9. General Correspondence
  - 10. CAO & Council Reports
  - 11. Other Business
  - 12. Council Question Period
  - 13. Committee of the Whole (if required)
  - 14. Adjournment

Notwithstanding the above, the order of business may be modified or amended to address specific agenda item. The Agenda shall be deemed to be acceptable by Council when the motion to adopt the agenda is passed.





## 9. Delegations

- a) A person or a representative of any delegation or group of persons who wish to bring any matter to the attention of the Council or who wish to have any matter considered by the Council, shall address a letter to the Council, in care of the CAO, outlining the subject to be raised.
- b) The letter shall be typewritten or legibly written, signed by the correct name of the writer, delivered or mailed to the Office of the CAO, so that it arrives at least at 1:00 p.m. in the afternoon at least five (5) working days before the date scheduled for the meeting at which it is to be presented.
- c) The letter shall contain the full mailing address and telephone number of the writer and if he or she wishes to appear before Council, it shall be so stated in the letter.
- d) Delegations shall be granted a maximum of fifteen (15) minutes to present the matter outlined in their letter. Where the Mayor or other presiding officer determines that additional time shall be granted to a delegation, additional time shall be granted in the length specified by the Mayor or presiding officer.
- e) Notwithstanding 8 d), where the Mayor or other presiding officer determines that sufficient time has been granted to a delegation to present the matter outlined in their letter, the Mayor or other presiding officer may limit the length of time granted to the delegation.

## 10. Petitions      Sections 219 to 226 of the MGA

- a) Before considering a petition, Council must first receive a report from the CAO of the sufficiency of the petition.

## 11. Public Hearings      Section 230 of the MGA

- a) Procedure and Agenda for a Public Hearing shall be as follows;
  - i) Call to order by Chairperson,
  - ii) Introduction of members of the Hearing Board



- iii) The CAO, or designate, shall introduce the resolution or by-law and shall briefly state the intended purpose.
  - iv) Oral or written submissions in favor of the purpose of the Public Hearing are heard. The presiding Officer shall request those who wish to make presentations to identify themselves.
  - v) Oral or written submissions against the purpose of the Public Hearing are heard. Members may ask questions on the submissions.
  - vi) Verbal presentations shall be limited to five (5) minutes.
  - vii) Council may move into a Committee of the Whole to deliberate but no decision may be made
  - viii) Following public presentations, the Chair shall close the Public Hearing
  - ix) If no one is present to speak to a proposed by-law which requires a Public Hearing, Council may hear an introduction to the matter from the CAO, ask relevant questions and then must vote to close the Public Hearing.
  - x) After the close of the Public Hearing, Council may debate matters raised at the Public Hearing during the regular Council meeting following the Public Hearing and may
    - pass the By-law or Resolution or
    - make any necessary amendments to the By-law or Resolution and pass it without further advertisement or hearing
- b) Cross examinations, debating or questions from the public is not allowed.
- c) Minutes of the Public Hearing will be filed with the Minutes of the Council meetings.
- d) When a Public Hearing on a proposed By-law or resolution is held, a member of Council must abstain from voting on the By-law or resolution if the member was absent from the Public Hearing

## 12. Resolution (Motions) in Council

- a) Motions before Council do not need a seconder.
- b) The Mayor or CAO (or as designated by the CAO) shall read the motion aloud if it has not appeared in the Agenda package
- c) Unless required by this By-law, the M.G.A. or any other enactment, all motions shall be considered defeated or approved by a simple majority being one more than half of the Councillors in attendance, who constitute a quorum.
- d) A motion with an equal number of votes for and against shall be considered defeated
- e) Motions may be withdrawn prior to debate or decision with the permission of Council
- f) When a motion has been made and is being considered by Council, no other motion may be made and voted on except;
  - i) A motion to refer the main question to some other person or group for consideration or advise
  - ii) A motion to amend the main question
  - iii) A motion to defer the main question to another time
- g) After the question has been called, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or presiding officer as to whether the question has been called shall be final.
- h) A member may move to adjourn a meeting at any time, except when;
  - i) another member is in possession of the floor
  - ii) a call for a decision has been made
  - iii) the members are voting
  - iv) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place



- i) A motion to rescind a motion of Council may be made at any time after the meeting at which the motion was passed by the following;
  - i) any member of Council may make the motion to rescind
  - ii) notice of the rescinding motion shall be on the agenda, and
  - v) the rescinding motion may be passed by a simple majority
  
- j) Unless otherwise specifically provided for in this By-law or the M.G.A., the following motions are debatable by Council;
  - i) a motion arising out of any matter on the agenda
  - ii) a motion concerning any matter deferred from a previous meeting to the meeting at which it is discussed
  - iii) a motion for the adoption of, rejection of, referral back, or further consideration of a report given to Council or a motion arising out of any matter dealt with in the report to Council
  - iv) a motion for the second and third reading of a By-law
  - v) a motion for amendment to any By-law currently before Council or to any matter arising directly out of any By-law currently before Council
  - vi) such other motions necessary for conducting the business of Council and the observance of it's priorities
  
- k) Members shall remain in their places when a vote is called for and must vote in accordance with Sections 182 to 186 inclusive of the M.G.A.

### 13. By-laws

- a) By-laws shall be presented and passed in accordance with Sections 187 to 191 inclusive of the M.G.A.



#### **14. Pecuniary Interest (Conflict of Interest)**

- a) Members of Council who have a reasonable belief that they have a pecuniary interest, as defined in the M.G.A., in any matter before Council or any Committee, Board or Commission, in which they have been appointed as a representative of Council, shall declare the general nature of the pecuniary interest prior to any discussion of the matter and abstain from discussion and voting on the matter.
- b) Depending on the nature of the Pecuniary Interest, the member of Council may be required to remove themselves from the room until the matter is concluded.
- c) The minutes shall indicate the declaration of disclosure, the time at which the member of Council left the room and the time the member of Council returned

#### **15. Committee of the Whole**

- a) Pursuant to Section 197 of the M.G.A., Council and Council Committees and Boards may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act
- b) No resolution or by-law may be passed at a Committee of the Whole meeting, except a resolution to revert to a meeting held in public

#### **16. Correspondence**

- a) The content of any communication intended for Council shall be legible, coherent, respectful and signed and must include the name, address and phone number of the correspondent and must set out the purpose of the communication and clearly outline what, if anything, is being requested of Council
- b) Notwithstanding 16.a) if it is determined that a communication intended for Council can be responded to by Town Administration, said communication, shall be dealt with by Administration
- c) The CAO shall not place any communication on the Agenda when he/she considers that the matter contained in the communication is impertinent, improper or libelous, in which case the CAO shall advise the originator of the communication that it is not being sent forward Council.

- d) Any communication received by Council may be referred to a Committee of Council or may be referred to the Mayor and CAO for a report

**17. Committee of Council**

- a) All standing and special committees shall be appointed by Council.
- b) General rules of the committee shall be;
  - i) to report to Council on duties imposed or recommend actions or directions by Council that are outside the parameters or discretion of the committees to decide
  - ii) to observe the rules prescribed by Town By-laws, including these rules of conduct and procedure.

**18. Other**

- a) If a matter of procedure arises not specifically covered in this By-law, the matter will be decided by reference to the M.G.A., common sense and a simple majority vote of Council
- b) If a matter cannot be decided as set out in 18. a), then such matter shall be determined in accordance with "*Robert's Rules of Order – Newly Revised*"

**19. By-law 55/00 is hereby rescinded.**

Read a first time this 12<sup>th</sup> day of August, 2008

Read a second time this 12<sup>th</sup> day of August, 2008

Read a third and final time this 12<sup>th</sup> day of August, 2008

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer