

REGULAR COUNCIL MEETING

Agenda

July 31, 2023

9. **CLOSED SESSION**

Section 197(2) of the Municipal Government Act specifies that a council may close all or part of a meeting to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of FOIP. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests. No bylaw or resolution can be passed at a closed meeting except a resolution to revert to the open council meeting in public or to recess.

10. **ADJOURNMENT**

10.1. Call for Adjournment of Meeting



TOWN OF HINTON REGULAR COUNCIL MEETING MINUTES Tuesday, July 18, 2023

COUNCIL PRESENT:

Albert Ostashek, Brian LaBerge, Trevor Haas, and JoAnn Race

COUNCIL ABSENT:

Marcel Michaels, Ryan Maguhn, and Stuart Taylor

STAFF PRESENT:

Jordan Panasiuk, Chief Administrative Officer,
Jennifer Davey-Campbell, Executive Assistant,
Debbi Weber, Strategic Projects Facilitator,
Deborah Juch, Director of Community Services,
Alicia Bourbeau, Director of Corporate Services,
Trent McLaughlin, Director of Infrastructure and Development Services,
Natasha Buck, Communications Coordinator, and
Winston Rossouw, Director of Strategic Projects

1. ORDER

The Town of Hinton respectfully acknowledges that it is located on the First People's traditional lands. We recognize this traditional territory to show respect and understanding to those who walked this land since time immemorial. Today, we uphold our ongoing responsibility to work together in the spirit of the intent of the Treaties with all the First Peoples and Nations that call this place home. The Town expresses gratitude for the opportunity to build a better community on these sacred lands for generations to come.

1.1. Call to Order

Deputy Mayor Ostashek called the Meeting to order at 4:03 p.m.

2. ADOPTION OF AGENDA

2.1. Regular Council Agenda

Add item 6.3, to reschedule the Regular Council Meeting of August 1, 2023.

RC-230718.01

Motion by Councillor Haas that Council adopt the Agenda as amended.

Carried unanimously

3. COUNCIL MINUTES FOR ADOPTION

3.1. Regular Council Meeting - July 4, 2023

RC-230718.02

Motion by Councillor Haas that Council adopt the Regular Council Meeting Minutes from July 4, 2023.

Carried unanimously

4. CITIZENS "MINUTE WITH COUNCIL"

- 4.1. Pamela Zawadiuk, a local resident, was inquiring about the funding Yellowhead County has received for the Smart Cities Challenge on a Government Infrastructure Website and asked if the Town of Hinton was familiar with the news release.

- 4.2. Pam Zawadiuk, from Cheviot Drive, inquired about drainage behind her property when we receive heavy rain and flows into her property and the tree roots that are growing into her property.

5. DELEGATIONS AND PRESENTATIONS

- 5.1. Curling Alberta (10 min) Presented by:
Britney Anderson, Jill Richard and Michael Laderoute

Britney Anderson from Curling Alberta highlighted the next steps in collaboration with the upcoming 2024 Boston Pizza Cup Men's Curling Championship in February.

6. ACTION ITEMS

- 6.1. 2024 Alberta Boston Pizza Cup Men's Curling Championship

RC-230718.03

Motion by Councillor LaBerge that Council approves a rental fee of \$10,000 for the Hinton Curling Club's booking of the Bill Thompson Arena and related areas to host the 2024 Boston Pizza Cup Men's Curling Championship February 2 through 11, 2024.

Carried unanimously

- 6.2. Revision to Recycle Depot Hours of Operation

RC-230718.04

Motion by Councillor Race that Council move to keep Rowan Recycle Depot open as it currently is. This option would offer no savings to the Town and would maintain the same service levels.

DEFEATED. 1-3

(In Favour: Councillor Race).

(Opposed: Councillor Ostashek, Councillor LaBerge, and Councillor Haas).

RC-230718.05

Motion by Councillor LaBerge that Council move to reduce hours of operation of the Rowan Recycle Depot to Monday – Friday (9 am to 12 pm, 3 pm to 6 pm), Saturday (10 am to 4 pm), and Sunday (closed).

Carried 3-1

(In Favour: Councillor Ostashek, Councillor LaBerge, and Councillor Haas).

(Opposed: Councillor Race).

RC-230718.06

Motion by Councillor Haas that council direct Administration to continue recycling pick-up to local schools.

Withdrawn

RC-230718.07

Motion by Councillor Haas to direct Administration to have a conversation with the schools about the future of recycling pick-up and return to a future Regular Council Meeting.

Carried unanimously

6.3. August 1, 2023 - Regular Council Meeting

RC-230718.08

Motion by Councillor Haas that Council move the Regular Council Meeting from August 1, 2023, to Monday, July 31, 2023.

Carried unanimously

7. CORRESPONDENCE

7.1. Letter from Town of Edson

7.2. Northern Rockies Museum and Culture and Heritage

RC-230718.09

Motion by Councillor Haas that Council accept the correspondence for information.

Carried unanimously

8. NOTICES OF MOTION

8.1. Beaver Boardwalk Bridge - Councillor Stuart Taylor

RC-230718.10

That Council direct Administration to come up with a plan to finish off the boardwalk near the bridge

9. REPORTING

9.1. Council Reports

- Boards and Committees of Council
 - Council reported on meetings and events they attended.

9.2. Chief Administrative Officer

- Reporting and Status Report
 - CAO Pananiuk reported on the organization and operations.

10. CLOSED SESSION

Section 197(2) of the Municipal Government Act specifies that a council may close all or part of a meeting to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of FOIP. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests. No bylaw or resolution can be passed at a closed meeting except a resolution to revert to the open council meeting in public or to recess.

11. ADJOURNMENT

11.1. Call for Adjournment of Meeting

RC-230718.11

Motion by Councillor Haas that the Council adjourn the meeting at 5:31 p.m.

Carried unanimously

Mayor

Chief Administrative Officer



**TOWN OF HINTON
COMMITTEE OF THE WHOLE MEETING MINUTES
Tuesday, July 25, 2023**

COUNCIL PRESENT:

Albert Ostashek, Brian LaBerge, Trevor Haas, Ryan Maguhn,
and Stuart Taylor

COUNCIL ABSENT:

Marcel Michaels, JoAnn Race

STAFF PRESENT:

Jordan Panasiuk, Chief Administrative Officer,
Jennifer Davey-Campbell, Executive Assistant,
Winston Rossouw, Director of Strategic Projects,
Debbi Weber, Strategic Projects Facilitator,
Alicia Bourbeau, Director of Corporate Services,
Deborah Juch, Director of Community Services,
Trent McLaughlin, Director of Infrastructure and Development Services,
Natasha Buck, Communications Coordinator, and
Heather Waye, Parks, Recreation & Culture Manager

1. ORDER

The Town of Hinton respectfully acknowledges that it is located on the First People's traditional lands. We recognize this traditional territory to show respect and understanding to those who walked this land since time immemorial. Today, we uphold our ongoing responsibility to work together in the spirit of the intent of the Treaties with all the First Peoples and Nations that call this place home. The Town expresses gratitude for the opportunity to build a better community on these sacred lands for generations to come.

1.1. Call to Order

Deputy Mayor Maguhn called the meeting to order at 4:01 p.m.

2. ADOPTION OF AGENDA

2.1. Committee of the Whole Agenda

COW-230725.01

Motion by Councillor LaBerge that Committee adopt the Agenda as presented

Carried unanimously

3. CITIZENS "MINUTE WITH COUNCIL"

4. DELEGATIONS AND PRESENTATIONS

5. ACTION ITEMS

5.1. Rescope the Green Square Capital Sign Project

COW-230725.02

Motion by Councillor Haas that Committee refers the Green Square Sign Capital Project Proposal as discussed to a future meeting of Council.

Carried unanimously

5.2. Magic Carpet Lift for Collinge Toboggan Hill

COW-230725.03

Motion by Councillor Haas that Committee accept the report on a Magic Carpet Lift for Collinge Toboggan Hill as information.

Carried unanimously

Councillor Ostashek left the meeting at 4:21 p.m. and returned at 4:30 p.m.

5.3. Phase 2-4 Trail Connectivity Public Engagement Results

COW-230725.04

Motion by Councillor Haas that Committee accept the Phase 2-4 Trail Connectivity Public Engagement Results Report for information.

Carried unanimously

5.4. Robotic Lawn Mower for Cemetery

COW-230725.05

Motion by Councillor Taylor that Committee accept the report on the Robotic Lawn Mower for Cemetery Project for information.

Carried unanimously

5.5. 2024 Budget Timelines

COW-230725.06

Motion by Councillor Haas That Committee recommends a workshop be held for 2024 budget presentation on October 24 and 25 commencing at 4 pm and ending no later than 9 pm each day.

Carried unanimously

5.6. Bylaw and Policy Index

COW-230725.07

Motion by Councillor Ostashek That Committee accept the Bylaw and Policy Index Report for information.

Carried unanimously

6. INFORMATION ITEMS**7. REPORTING**

7.1. Council Reports

- Boards and Committees of Council
 - Council reported on events and meetings they attended.

7.2. Chief Administrative Officer

- Reporting and Status Report
- Council Action Pending List
- Council Action Complete List
 - CAO Panasiuk reported on the organization and operations.

COW-230725.08

Motion by Councillor Haas that Committee move to Closed Session at 4:51 p.m.

Carried unanimously

COW-230725.09

Motion by Councillor Ostashek that Committee move out of Closed Session at 5:32 p.m.

Carried unanimously

8. CLOSED SESSION

Section 197(2) of the Municipal Government Act specifies that a council may close all or part of a meeting to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of FOIP. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests. No bylaw or resolution can be passed at a closed meeting except a resolution to revert to the open council meeting in public or to recess.

8.1. Tax Agreement - Closed per s. 16 and 25 of FOIP

COW-230725.10

Motion by Councillor Haas that Committee supports the proposed letter as discussed in Closed Session.

Carried unanimously

COW-230725.11

Motion by Councillor Haas that Committee move into Closed Session at 5:38 p.m.

Carried unanimously

8.2. Mutual Performance Discussion - Closed per s.17(1) of FOIP

COW-230725.12

Motion by Councillor LaBerge that Committee move out of Closed Session at 6:14 p.m.

Carried unanimously

9. ADJOURNMENT

9.1. Adjournment

COW-230725.13

Motion by Councillor LaBerge that Committee adjourn the meeting at 6:14 p.m.

Carried unanimously

Deputy Mayor

Chief Administrative Officer



TOWN OF HINTON Administrative Report

DIRECTION REQUEST REQUEST FOR DECISION INFORMATION ITEM

DATE Regular Council Meeting, of July 31, 2023
PRESENTED BY: Alicia Bourbeau, Corporate Services Director
SUBMITTED BY: Jordan Panasiuk, Chief Administrative Officer
RE: **RATEPAYER REQUEST TO WAIVE LATE PAYMENT PENALTY**

Recommended Action

That Council does deny the request for penalty forgiveness on Roll No. 70441000.

Background

Following guidelines supported through Town of Hinton Bylaw No. 1164, To Impose Penalties on Unpaid Taxes and Tax Arrears, the Accounting Services Unit levied penalties on all current year taxes unpaid on June 30th, 2023. The process of applying penalties on outstanding amounts is supported through the Municipal Government Act S.344(1). Notice of the due date for taxes to be paid in the Town was advertised throughout the month of June using both electronic messaging and print media.

Ratepayer called the Accounting Services Unit and was advised any request for tax forgiveness must be heard by Council. Ratepayer then called the mayor, who referred the task back to the Accounting Services Unit, who referred the matter to the Department Director, to bring to Council.

Analysis

This report is before Council as legislated through the Alberta Municipal Government Act S.346, a penalty imposed under S. 344(1) is considered part of the tax, which is then governed by S. 347(1) cancellation, reduction, refund, or deferral of taxes is a decision required to be made by Council.

Forgiveness of the penalty could have precedent setting implications which may dilute the effectiveness of due dates imposed by the Town on overdue accounts.

Implications of Decision

Financial Implications	
Items	Comments
Operating Cost/Implications	~ \$226
Capital Cost	N/A
Budget Available	Yes, reduction of charges levied
Source of Funds	Penalties and Costs on Taxes
Unbudgeted Costs	N/A

Level of Service Implications

Yes, discrepancy in Bylaws required to be administered.

Communications/Public Engagement Implications N/A

Risk/Liability Implications

Precedent setting, negative effect on future collection efforts.

Legislative Implications		
Conforms with:	Yes/No/ Partial/NA	Comments
Council's Strategic Plan	Yes	Organizational Effectiveness, Staff understand their role; moves Town's priorities, fiscally responsible manner.
Municipal Policies or Bylaws	Yes	Bylaw No. 1164 To Impose Penalties on Unpaid Taxes and Tax Arrears.
Provincial Laws or MGA	Yes	MGA S. 344(1); S. 346; S. 347(1)
Other plans or policies	No	

Options / Alternatives

1. That Council deny the request for penalty forgiveness on Roll No. 70441000.
2. That Council approves the request for penalty forgiveness on Roll No. 70441000.
3. That Council request Administration bring the request for penalty forgiveness on Roll No. 7044100 to a future Committee of the Whole meeting.

Attachment(s)

N/A



TOWN OF HINTON Administrative Report

DIRECTION REQUEST REQUEST FOR DECISION INFORMATION ITEM

DATE: Regular Council Meeting of July 31, 2023
PRESENTED BY: Alicia Bourbeau, Director of Corporate Services
SUBMITTED BY: Jordan Panasiuk, Chief Administrative Officer
RE: **COUNCIL PROCEDURE BYLAW NO. 1153 REVIEW**

Recommended Action

That Council approves a maximum expenditure of \$3,500 + GST for a professional review of Council Procedure Bylaw No. 1153.

And, That Council appoints the following members to the Procedure Bylaw Review Committee:

1. _____ as appointed Town of Hinton Council representative;
2. Mayor Marcel Michaels;
3. Sharlynn McDougall, Legislative Services Clerk, as Town of Hinton Administration representative.

Background

As part of the 2022 Strategic Plan, Council set a goal: "Staff and Council have a clear understanding of their roles and responsibilities." In support of this strategic goal, the Tactical Plan 2022-2026 outlines the tactic:

- 3.5.1 *Council reviews their Code of Conduct and Procedural Bylaws on an annual basis.*

Following a Request for Decision presented by Administration at the July 4, 2023, Regular Meeting, the following motions were passed:

That Administration bring back a report on options for a professional review of Bylaw No. 1153 with cost information.

And, That Council defers this discussion to a future Regular Council Meeting. (Procedure Bylaw No. 1153)

Analysis

This report is before Council to approve a maximum expenditure of \$3,500 to hire [Todd Brand Consulting](#) for a professional review of the Council Procedure Bylaw (No. 1153) and to appoint members to the Procedure Bylaw Review Committee.

Professional Review of Bylaw No. 1153

Administration reached out to members of the Alberta Association of Parliamentarians and of the National Association of Parliamentarians (NAP) for costing and process advice and received formal proposals for their services. Parliamentarians are experts in parliamentary rules and procedures and work as consultants to advise organizations on these matters.

Of the received proposals, Administration recommends Todd Brand, a qualified Professional Registered Parliamentarian who has considerable experience with Municipal Council work in the province and has worked with municipalities including Spruce Grove, Morinville, Municipal District of Taber, Rocky View

County, and Airdrie, on bylaw revision and training. Mr. Brand was also recommended by the longest-serving Parliamentarian in Alberta, Pat Knoll, who is unavailable in the coming months.

Mr. Brand's proposed pathway for a review of the Procedure Bylaw is as follows:

1. Mr. Brand prepares a detailed report on the Town of Hinton Council Procedure Bylaw looking for the best governance practices and considering the essential characteristics.
2. Mr. Brand submits his report to the Town of Hinton. This 8–12-page report would include:
 - a. an overview of strengths, concerns, and other considerations
 - b. specific line by line considerations for the Bylaw Review Committee's review
3. Mr. Brand meets with the Bylaw Review Committee to review the report.
4. Committee determines next steps if any.

Mr. Brand would be available to complete future work as agreed upon after Step 4, for example helping to draft changes to the bylaw or other tasks. A sample of Mr. Brand's typical final product can be found in Attachment 1. The maximum quoted cost of this review is \$3,500 + GST.

It should be noted that Parliamentarians are not lawyers, and as the Procedure Bylaw must comply with legislation, a legal review should be conducted of any proposed amendments to the bylaw before approving any changes.

Procedure Bylaw Review Committee

As per the Procedure Bylaw Review Committee Bylaw No. 1141, a Procedure Bylaw Review Committee is necessary to review and update the existing Procedure Bylaw for the purpose of ensuring compliance with legislation, to clarify ambiguity, and to reflect actual practices.

Members of the Council Procedure Review Committee must be appointed by Council, and the committee must comprise of one (1) appointed Town of Hinton Council representative; the Mayor; and one (1) Town of Hinton Administration representative. Appointments will be for the entire term of the Council Procedure Review Committee i.e. until the Council Procedure Bylaw has been reviewed in full and, if applicable, an amended Council Procedure Bylaw has been passed by Council. At that time, the Committee will be disbanded.

The appointed members of the Procedure Bylaw Review Committee will present a draft Procedure Bylaw at a future Committee of the Whole meeting for review and recommendations. The final amended Council Procedure Bylaw will be approved by Council.

Implications of Decision

Financial Implications	
Items	Comments
Operating Cost/Implications	Professional Review: Up to \$3,500
Capital Cost	NA
Budget Available	Budget is available in Council's 2023 Operating Budget, under 'Contracted Services' and 'Other Professional Services'.
Source of Funds	Operating Budget (Taxation)
Unbudgeted Costs	The expense of a professional review of the Council Procedure Bylaw has not been budgeted for in the 2023 Operating Budget.

Level of Service Implications

None.

Communications/Public Engagement Implications

None.

Risk/Liability Implications

Engaging the services of a Parliamentarian to review the Council Procedure Bylaw reduces risks associated with updating it internally, as Parliamentarians have specialist knowledge of meeting rules and organizational effectiveness.

Legislative Implications		
Conforms with:	Yes/No/Partial/NA	Comments
Council's Strategic Plan	Yes	Key Principles: Engaged, collaborative, solution focused. Strategic Priorities: Organizational effectiveness <i>Staff and Council have a clear understanding of their roles and objectives.</i>
Municipal Policies or Bylaws	Yes	Procurement Policy (FN 1300) Council Procedure Review Committee Bylaw No. 1141
Provincial Laws or MGA	Yes	Section 145 of the MGA provides that a municipality may pass a bylaw in relation to the procedure and conduct of council, council committees, and other bodies established by Council.
Other plans or policies	Yes	Tactical Plan: 3.5.1 Council reviews their Code of Conduct and Procedural Bylaws on an annual basis

Options / Alternatives

1. That Council approves a maximum expenditure of \$3,500 + GST for a professional review of Council Procedure Bylaw No. 1153.
And,
That Council appoint the following members to the Procedure Bylaw Review Committee:
 - a. _____ as appointed Town of Hinton Council representative;
 - b. Mayor Marcel Michaels;
 - c. Sharlynn McDougall, Legislative Services Clerk, as Town of Hinton Administration representative.
2. That Council moves to conduct the Council Procedure Bylaw Review internally and appoints the following members to the Procedure Bylaw Review Committee:
 - a. _____ as appointed Town of Hinton Council representative;
 - b. Mayor Marcel Michaels;
 - c. Sharlynn McDougall, Legislative Services Clerk, as Town of Hinton Administration representative.
3. That Council defers this to a future Committee of the Whole meeting for further discussion.
4. That Council accepts this report for information.

Attachment(s)

1. Review Sample from Todd Brand Consulting

Section 22 (5)(6) - Meeting Minutes	Unless there is a legal requirement that I am unaware of, the practice of including any discussion points or short summaries for the noted items is troublesome. The “decision-based and actions authorized” approach taken for other business is good procedure and should be applied to all matters before Council.	Consider applying the principal of only reporting decisions and actions to all items of the minutes.
Section 27 (3) - Consent Agenda Items	The word “request” is improper as this implies that the request can be denied or is subject to a vote.	Consider the use of the proper parliamentary term “demand” or another word that could be considered is “require.”
Section 31 (1) - Other Matters Deemed Expedient	The requirement of unanimous consent to add an urgent item of business is too high. This effectively puts the power of decision onto any one member of Council.	Consider changing this to the majority of Council or at the highest 2/3 of Council (in either case... of members present).
Section 33 (6) - Voting at Meetings	It is not sound procedure to allow a question to be divided at the time of the vote since members now have lost the opportunity to amend or debate the motion. The division of a question should take place before debate or at least during debate but not after. If this allowance is considered desirable the word “request” should be changed to more clear wording that this is actually a demand.	Consider removing this allowance. If retained, clarify wording to show it is a demand.
Section 33 (8) - Voting at Meetings	In accepted procedure, there are no secondary motions allowed after the motion is put to a vote. A motion to refer or postpone should be made during debate and not after debate has closed.	Remove this clause.
Section 33 (9) - Voting at Meetings	I do not understand this clause nor it’s intent. Additionally, this clause uses the term “put” which, while correct, may not be commonly understood by most in this context.	Consider clarifying for clarity of meaning and intent.
Section 33 (11) - Voting at Meetings	The term “at the time of the vote” is not necessary and complicates this clause.	Consider removing the words “at the time of the vote.”



TOWN OF HINTON

Administrative Report

DIRECTION REQUEST REQUEST FOR DECISION INFORMATION ITEM

DATE Regular Council Meeting of July 31, 2023
PRESENTED BY: Alicia Bourbeau, Corporate Services Director
SUBMITTED BY: Jordan Panasiuk, Chief Administrative Officer
RE: 2024 BUDGET WORKSHOP REQUEST

Recommended Action

That Council approves a workshop be held for 2024 budget presentation on October 24 and 25 commencing at 4 pm and ending no later than 9 pm each day.

Background

Annually, Alberta Municipalities must adopt, no later than December 31, a three-year Operating, and a five-year Capital Budget. In 2022, Administration held the initial budget presentation meetings over two days, November 17 and 18, 2022. Councils' accommodation of the budget workshop presentations directly attributed to Administration presenting the final documents for adoption on December 6, 2022.

Analysis

This report is before Council to set dates for the 2024 Budget workshop presentations as recommended by Committee at the July 25, 2023, Committee of the Whole meeting. Choosing dates between October 20 and November 4 will support the target of adopting the budget prior to November 30, 2023.

Implications of Decision

Financial Implications	
Items	Comments
Operating Cost/Implications	Outside of regular operating hours some staff positions will be eligible for overtime pay, of which impacts can be mitigated through proper notification of schedule changes and flexible work arrangements.
Capital Cost	N/A
Budget Available	Salary and Wage budget lines
Source of Funds	Operating Budget
Unbudgeted Costs	N/A

Level of Service Implications

None Identified

Communications/Public Engagement Implications

Regular advertising of Budget meetings

Risk/Liability Implications

Interim Operating Budget is required if the 2024 budget is not adopted by December 31.

Legislative Implications		
Conforms with:	Yes/No/Partial/NA	Comments
Council’s Strategic Plan	Yes	Organizational Effectiveness, Council remains focused on moving Town’s priorities forward in a fiscally responsible manner.
Municipal Policies or Bylaws	No	
Provincial Laws or MGA	Yes	MGA S. 242(1); 245
Other plans or policies	No	

Options / Alternatives

1. That Council approves a workshop be held for 2024 budget presentation on October 24 and 25 commencing at 4 pm and ending no later than 9 pm each day.
2. That Council approves a workshop be held for 2024 budget presentation on October 27, from 4:30 pm to 9:00 pm and October 28 commencing at 9 am.
3. That Council approves a workshop be held for 2024 budget presentation on: ____ (as recommended by Council

Attachment(s)

n/a