

**Agenda**  
**Village of Carmangay**  
**Special Council Meeting**  
**Carmangay Seniors Centre**  
**March 13, 2019**  
**6:30 p.m.**

1. Call to Order
2. Guests:           None
3. Approval of Agenda for March 13, 2019 - Special Council meeting
4. Minutes from the previous Regular Council meeting will be presented at the next Regular meeting of Council.
5. Business Arising
6. Old Business
  - a) Carmangay Advocacy Group presentation from February 19, 2019 Regular Meeting of Council.
7. Executive Session
8. Adjournment.

## Old Business Item A

Carmangay Advocacy Group presentation from February 19, 2019 Regular Meeting of Council.

### Suggested Motion(s)

***Motion to accept the Letter, Provided Document and Verbal Presentation from the Carmangay Advocacy Group spokesperson as information.***

Administration does not have any further suggested motions, but Council may elect to make further motions based on review of the information and discussion at the Council meeting.

### Background

The spokesperson for the Carmangay Advocacy Group requested time at the last Regular Meeting of Council to be a delegation. A **Letter** was provided ahead of time and a **Provided Document** was presented at the meeting from the spokesperson to the Carmangay Advocacy Group to Council. Additionally, a **Verbal Presentation** was provided by email on February 20, 2019 which were the reading notes during the delegation presentation. All 3 items are provided below.

The information provided defines close to 50 complaints by the Carmangay Advocacy Group against Council and administration. Prior to receiving this information at the last Regular Council Meeting, there has been a steady effort to communicate failings of Council and administration by the Carmangay Advocacy Group primarily through social media.

Council and administration have made an effort to listen and respond to the concerns of the Carmangay Advocacy Group via a number of methods;

- The new Council created a policy that provides audio recordings of Council meetings on its Village website,
- In addition to the audio recordings, agenda, minutes and financial statements are provided on the Village website,
- Council offered to attend a Carmangay Advocacy Group meeting to understand their concerns but were refused,
- In addition to the recent delegation by the spokesperson of the Carmangay Advocacy Group, Council has previously allowed delegations to members of the Carmangay Advocacy Group and others to listen to their concerns,
- Council is available the first Saturday of each month for Coffee with Council to hear any concerns,

- A public survey was sent out and 45 respondents provided their interests. The results were then used to modify the strategic plan for the Village.

In addition to the above most small municipalities will be undergoing a Municipal Accountability Review including Carmangay. This should occur in early summer and will look at many of the procedures, bylaws and policies of the Village of Carmangay.

The Carmangay Advocacy Group is an organization that does not have a defined leader or structure aside from defining Sheila Smidt as the spokesperson. The group has a Facebook group page that is viewable by the public but requires membership to be able to post. Administration has requested membership to provide responses to posts but have not had a reply. The Facebook group page is administered by Sue Dahl and Ed Fortinski.

In last year Village administration has responded by email over 50 times to the various members of the Carmangay Advocacy Group. Administration have also provided extensive hours gathering documentation for the Carmangay Advocacy Group and answering questions by phone or at the counter. These requests have been questions as well as requests to see financial information, have agendas, minutes, bylaws and policies printed.

Administration has had to spend additional time for a few specific events that had a negative impact on the Village when;

- Members of the Carmangay Advocacy group contacted a supplier / contractor that did work for the Village asking for a report that had not yet even been provided to administration,
- The spokesperson for the Carmangay Advocacy Group contacted the Federal Jobs Grant representative in an attempt to disqualify and remove the benefit of the grant funding for the Village after it had been accepted. The spokesperson asserted amongst a number of things that the Mayor had hired the students and the CAO had hired their son. Both statements are not true. Once the Federal Job Grant representative was able to contact Village administration to follow up and understand the truth, they were satisfied, and the Village received all of the grant funding it had applied for.
- The Carmangay Advocacy Group filed a petition with Municipal Affairs for a Municipal Inspection. Municipal Affairs met with the group as well as Council members and administration and determined that an inspection was not called for.

It would be reasonable to state that Village administration has spent 15 to 20% of their time addressing the requests and questions of the Carmangay Advocacy Group.

Council and administration have avoided responding to offensive social media posts on the Carmangay Advocacy Group Facebook page to avoid escalating the division in the community. These posts that are still on the site include;

- Inference on a number of occasions that Council was profiting privately from being in office. Council does not have access to either the accounting system nor even keys to the offices so the assertion would imply the administration is also complicit in this activity. This assertion is completely untrue.

[REDACTED]

The CAG has requested the following questions be answered verbally by Village Council at the November 20, 2018 council meeting:

Village of Carmangay  
P.O. Box 130  
Carmangay, Alberta  
T0L 0N0  
October 29, 2018  
Attention: Patrick Bergen, CAO

The following are questions and concerns that the Carmangay Advocacy Group have regarding various issues. We respectfully request that the listed queries be addressed at the November Council meeting.

- 1.) Could you please provide information on the status of the water investigation as determined by the engineer?
- 2.) The installation of a new water/wastewater lines in the industrial area has been observed. What is the cost to the village, were there grant monies being allocated for the project and was the project put up for tender?
- 3.) Council moves thru motions and bylaws. We note that this practise is not always adhered to as per the minutes. i.e. installation of the W/W in the industrial area. The draft letter to Vulcan County regarding the G3 and the Jones Property. We note that \$10,000.00 was allocated for the clean up of the land as per the Capital Expense. Who is the recipient of the money? We site MGA 170 (1) – **Public office not to be used for private gain.**
- 4.) We are requesting information regarding the G3. What is the Municipal Plan regarding roads, rezoning, infrastructure, tax sharing and the allocation of the requested \$30,000.00

We trust this correspondence will be added to your November agenda and that we will receive a response at the meeting. Thank you.

Carmangay Advocacy Group

[REDACTED] Sorry. As long as council remembers what is their finances and what is villages finances and needs.



Seen by 45

- Although some of the more offensive memes have been removed including one that referred to Council as a scumbag Council the following memes are still on the site.



- When CAO Bergen advised one of the Carmangay Advocacy Group members that he had been a Councillor in the City of Chestermere, the below post was put up the same day. CAO Bergen had been a member of a Chestermere Council prior to the one mentioned in the article.

██████████

Interesting story I just drudged up from 2017 about how a town here in Alberta tossed its council. And I always thought politics was dull... 😊



CBC.CA

**Entire council of Alberta city decides not to stand for re-election | CBC News**

👍 😊 4 1 Share Seen by 45

👍 Like ↗ Share

- The below post was put up prior to a meeting with CAO Bergen.

██████████ In all seriousness, I am hoping for an honest discussion. If they are willing to take some time tomorrow morning or over the weekend if that is more convenient to hear me (and the issues I share with this group) then I am willing to listen to their views. That is only fair. If I get brushed aside again, then I guess council is in for a bumpy ride. I've done this before in Calgary many years ago and I was successful. You can fight city hall. What worked then will work now. The rules haven't changed. I got resistance then, I expect resistance now. Things got nasty in Calgary, things may get nasty here. I don't know. I hope not. Stacey is nothing if not predictable. Maybe he will surprise us. Probably not. Results will be posted either way.

The recent move to communicating door to door is a new methodology and warrants consideration by Council.

**Letter**

February 13, 2019

Village of Carmangay Municipal Office  
P.O.Box 130  
Carmangay, AB  
TOLONO

**Attention: CAO Patrick Bergen**

**Re: Request to present at Council meeting February 19, 2019**

Dear Patrick:

I would like to discuss with Council the Purpose of the Carmangay Advocacy Group, what we would like to achieve and the process to achieve those goals.

Looking forward to a positive response. Thank you for your consideration.

Regards,

Sheila Smidt



Box 212

Carmangay, AB TOLONO

sheilainthevillage@gmail.com

Encl: Advocacy Mission Statement

Carmangay Advocacy Group

June 2018

**We fear that we are losing Democratic process in our Village.**

We are organizing an Advocacy group where residents can discuss their concerns, opinions and their ideas for solutions. To encourage Council to be responsible and to help them focus on what is best for the Village. Someone to whom you can give your opinions and suggestions even if they are not in agreement with others. Where you are allowed to speak without the fear of being asked to leave.

**Purpose of the group:**

- To research, advise and create awareness about the Village issues and the options.
- To encourage Council transparency.

**What we would like to achieve:**

- More citizen participation through communication and sharing of information.
- Council and Administration Village fiscal responsibility.
- For Council to consider what is best for the Village

**What process we will go about to achieve our goals:**

- Investigation of facts and options according to the MGA.
- Letters, presentations, meetings and encourage dialogue of tough issues with lots of follow up.

Communication is welcome at [carmangayadvocacygroup@gmail.com](mailto:carmangayadvocacygroup@gmail.com)

Regards,

Carmangay Advocacy Group

## Provided Document

The below document was provided by the spokesperson for the Carmangay Advocacy Group. For clarification, the document was delivered to at least 100 homes in Carmangay

From the audio recording of the February 19, 2019 Regular Meeting of Council  
At 19:04 of the audio recording.

*Ms. Smidt: "I have this print out that might make it more clearer for everybody to probably not read now but just to use as a reference for what our (the Carmangay Advocacy Group) complaints are. And as a matter of fact, I see Mayor Hovde smiling because we passed in our petition, visits to the households, we passed out over a hundred, and I would find it very odd if one didn't land on your desk. So I am sure this isn't news."*

A copy had not been provided to Council nor administration prior to the February 19, 2019 Regular Meeting of Council and this was the first chance for Council and administration to review the material.

<u>Date</u>	<u>Non- Compliance with MGA</u>	<u>MGA Reference</u>
Oct 2017 - Aug 2018	Council meets privately at each other's home's, agreements are made before the Council meetings. There are only unanimous passed motions at the meetings – no exchanging of ideas or options.	Division 9, 197(1)
10/24/17	Land sale was offered for purchase to an interested party at below market value . Council and administration neglected to do required posting.	Part 2, Division 8 70(1) Disposal of Land Council has the authority to sell property below market value if advertised in accordance with Section 606 of the MGA.
Sept.19/17	Motion passed to negotiate paying half Wilde Bros Engineering invoice. New motion made October 24/17 to send the bill back with a letter stating Village will not pay the bill (without rescinding previous motion.)	Division 9, 180 (1) Council direction is through motions and bylaws

Nov.7/17	Without Council motion, Mayor Hovde offered to the Lion's Club, the care and revenue of the Campground which reduced the Village revenue by >\$5,000. and on a good year up to >\$9,000. No good business reason was given as to why he would give away a revenue generating campground and keep the one that collects no fees.	Division 9, 180(1) Council may only act by Resolution or By-law
Jan. 24/18	Adhoc Committee bylaw 779 was passed but members were "selected", no motion was made by Council to accept the members as stated in the bylaw.	Part 6 213(1) Special committees are subject to the same regulations as Council meetings. Minutes of meetings to be signed by person residing and a designated officer.
Feb. 3/18 Feb. 23/18 Mar. 1/18 MAR.22/18 Apr.1 2/18 Apr. 12/18	Six (6) Adhoc meetings were held but no minutes were brought forward and accepted at the subsequent meetings and only on Aug 12/18 were minutes from 3 of the meetings available. No minutes were signed by the required two officers	Part 6 213(1) Special committees are subject to the same regulations as Council meetings. Minutes of meetings to be signed by person residing and a designated officer.

	<p>Bylaw 779 being a bylaw to deal with the future development of the wind turbine blade.</p> <p><b>May 30/17</b> the motion was made and passed to accept the blade on the location as a gift on it's existing location</p> <p><b>May 30/17</b> motion was made and passed that the development of the blade park site be funded by sources other than municipally budgeted revenue.</p> <p><b>**These motions have never been rescinded.</b></p> <p><b>June 20/17</b> Steve Hardy, Sr. Planner for Old Man River Regional Services Commission, explained that the blade was accepted by motion, the property was rezoned, minimum setbacks were honored that adjacent landowners are not required to be notified. Once the permit is issued, one can't go back and change it or remove it.</p>	<p>Division 9, 180(1) Council may only act by Resolution or By-law</p>
Feb 10/18	<p>Closed, not posted budget meeting. Budget meetings should be open to the public</p>	<p>Division 9, 197(1)</p>
Feb 2018	<p>Motion made to sign Bylaws # 781 and # 782. Minutes do not indicate 3 readings.</p>	<p>Part 5, Division 9 187(1) Every proposed bylaw must have 3 distinct and separate readings.</p>
March 2018	<p>Revised Bylaw # 646 without adhering to the procedure of the bylaw amendment. (New Bylaw #783)</p>	<p>Part 2, Division 7 63(1) Revising Bylaw 66(2) The provisions of revised bylaw does not have the same effect as the original bylaw. Part 6 Division 9</p>
		<p>191(2) Amendment or repeal must be made in the same way as the original bylaw.</p>

Apr 17/18	Must create a Tax Rate Bylaw and accept through motion.  Minutes do not indicate 3 readings.	Part 10, Division 2 353(1) Council must pass a Property Tax Bylaw annually.  Part 5, Division 9 189 A bylaw is passed when it receives third reading and is signed in accordance with Section 213.
Apr 17/18	Request from citizen to speak at Council Meeting initially denied	Division 9 198
June 19/18	Request from Fire Chief to speak at Council Meeting initially denied without reason	Division 9 198
July 2018- Aug 2018	Mayor Hovde's daughter and CAO Patrick Bergen's son are both working for the Village for the summer	170 (1)b Public office not to be used for private gain
July 11/2018	Invalid motion made to create a plebiscite at a posted closed meeting Minutes unavailable for this meeting	197(3)  Part 6 213(1)
July 13/18	Petition for plebiscite presented to Council No response	Part 7 226(1)
	<b><u>Councillor Code of Conduct</u></b>	
	Council has signed the Councillor Code of Conduct but seems not to have read or understood what they agreed to uphold. As example: <ul style="list-style-type: none"> <li>Decision making process lacks transparency, is not equitable and will not address letters of concern or</li> </ul>	

	<p>presentations. Council shows preference to friends and family.</p> <ul style="list-style-type: none"><li>• When Council was instated, public was told not to approach council but to write by email or letter which in many cases no response was given since only sensible questions would be responded to.</li><li>• Allows incorrect information to circulate without correcting it.</li><li>• Refused to pay legitimate Engineering bill. This reflects badly on the reputation of the Village and will damage our relationship for future jobs. They did, though, agree to pay an unauthorized bill generated by a friend when the job could have been done less expensively by the contractor designate by the Village</li></ul>	
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## Verbal Presentation

Below is the verbal presentation that was provided by email.

*Thank you for including me on the agenda to briefly speak on behalf of the Carmangay Advocacy Group. This is never a pleasant task but after comments made by Council at the last meeting the timing seemed to be right to bring concerns to Council.*

*Advocacy's purpose is to encourage people to be aware of what is happening in our Village that will affect them either now or in the future. To gather and share information.*

*Advocacy represents more than 100 residents with whom we share information, ideas and concerns. Everyone has an opinion and in turn we take every one of their comments brought to us seriously and do our best to gather information from credible sources to shine a light on the topic, one of those sources being Muni Affairs and researching the Municipal Government Act. We believe Council lacks transparency, confidentiality and has too many closed meetings. They are driven to achieve their own personal agendas and are completely out of touch with the expectations of the community. Expectations of transparency and fiscal responsibility while improving infrastructure and cultivating an inviting community to encourage residents and businesses to come to Carmangay.*

*By funnelling some of that extra cash you talk about into fixing sidewalks so residents can take a walk without stumbling. Perhaps buy some solar panels to reduce the cost of Village energy to help with your efforts to stabilize taxes. Replace the infrastructure on Whitney Street. Residents do NOT want their tax dollars going to frivolous vanity projects, buying buildings and capital purchases that are meant for private investment and that will be unsustainable white elephants when this Council is no longer in office.*

*Councillor Hovde scoffs that a resident asked her if Council was going to put in a store however Mayor Hovde has mentioned it many times. Is he intending to use Village money for that losing proposition? It has been considered by entrepreneurs who realize it is not viable with our very small population even though there will be G3 workers for a short time, who will live as they said in Vulcan and Claresholm. My suggestion is that they will bring their daily needs from their respective towns.*

*Other concerns include the creative ways council has of achieving their preferred results by skuing questions to achieve their own plebiscite outcomes. By immediately reversing previous motions that as Councillor Hovde you were overruled on ie, blade, line of credit, VBSD. By creating by-laws, ad-hoc committee and policies to serve their own preferred outcomes. Lots of question regarding the industrial area.*

*Although you point out there is a surplus in the budget we wish to see the Actuals of 2018. How can you compile a budget without previous year information? You came into office with a sufficient bank account after years of saving for capital projects. MSI capital cannot be counted on to be consistent so spending all now means no money saved for an emergency, then we will be in debt. Why do you think there has been so much emphasis on seeing the monthly transactions? You say FOIP, we say lack of transparency. Other companies deal with this successfully by numbering their employees so their pay is anonymous. CAO and Councillor pay is not confidential. MGA Section 217(3)*

*We feel there are too many office staff who are unable to answer questions and a phantom CAO who is seldom in the office. You cite reasons of economies of scale for so many employees and contract workers. Grant writing can and has been done in house without the necessity of hiring it done. All grants are posted on line, available to anyone to research and support from Vulcan County to review the final product.*

*Collaboration is encouraged but autonomy is very much valued in Carmangay. We are not Champion and resent the constant reference to it.*

*Actions with no motions, motions passed but not fulfilled nor rescinded.*

*In closing I say that to prevent the results of doing nothing Advocacy will stay vigilant.*

*Thank you.*