

**REGULAR MEETING AGENDA
SUMMER VILLAGE OF SUNBREAKER COVE
JULY 15, 2024 @ 9:00 A.M.**

- A. CALL TO ORDER**

- B. AGENDA** - additions/deletions
 - adoption

- C. REQUESTS FOR DECISION**
 - 1) Council & Legislative**
 - a) By-election

- D. ADJOURNMENT**

Summer Village of Sunbreaker Cove

July 16, 2024

Council & Legislative

Request for Decision

Agenda Item: *By-Election*

Background:

With Councillor Beets resigning from Council June 26th, 2024, and Deputy Mayor Kimball resigning July 4th, 2024, we needed to hold 2 By-Elections. Administration wrote a letter to Minister McIver requesting permission to hold both by-elections in a single by-election. This permission was granted.

Please see Ministerial order attached.

Administration is requesting Council pass a resolution to allow for both by-elections to occur as a single by-election based on the following timeline.

Administration has advertised the following dates for the By-Election:

Nomination Day: Saturday, July 27th from 10:00 a.m. to 12:00 p.m.

Election Day: Saturday, August 24th from 10:00 a.m. to 7:00 p.m.

Options for Consideration:

- 1) Council must hold the By-Election within 120 days.

Administrative Recommendations:

- 1) Council resolve to hold both by-elections as a single by-election with nomination day on Saturday July 27th and election day on August 24th with the times prescribed above..

Authorities:

MGA - Election Day 165

Unless a council sets an earlier date, Election Day for a by-election under section 162 or 163 is 120 days after the vacancy occurs.



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Calgary-Hays*

AR115847

July 15, 2024

Mr. Tanner Evans
Chief Administrative Officer
Summer Village of Sunbreaker Cove
#2 Erickson Drive
Sylvan Lake AB T4S 1P5

Dear Mr. Evans:

Thank you for your letter of July 4, 2024, informing me of the unique situation in the Summer Village of Sunbreaker Cove. Being faced with two council vacancies, and the loss of quorum this late in the term, is an understandably complex and disruptive matter.

While I understand council's desire to deal with the vacancies in a cost-effective and expeditious manner, the *Municipal Government Act (MGA)* does not allow councils to order by-elections in advance of a vacancy. Moreover, once Deputy Mayor Kimball resigned, council lost quorum and lost the authority to pass resolutions.

I have considered your request to either have both vacancies filled by a single by-election on August 24, 2024, as currently scheduled, or to leave one of the councillor positions vacant until the next general election. As per my legislated authority under the *MGA*, I am ordering that Mayor Willmon, the remaining councillor, constitutes council quorum, and that an Official Administrator (OA) be appointed from ministry staff to supervise council until the by-election restores quorum. Should the summer village wish to use the upcoming by-election to fill both vacancies, council will need to pass the necessary resolution to enable this.

For the next few months, Lucien Cloutier, Municipal Governance Advisor, will act as OA, and Angela Bilski, Municipal Training Advisor, will act as Deputy OA in case Mr. Cloutier is unavailable. The OA and Deputy OA will work with you and Mayor Willmon, as well as your administration, to assist with ensuring the normal operations of the summer village can continue until the by-election is held.

I have attached a copy of Ministerial Order No. MSD:059/24, which outlines the directions I have made.

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I am confident this arrangement is in the best interests of the summer village. If you have any questions or concerns, please contact Mr. Cloutier, at 780-415-4841.

Sincerely,

A handwritten signature in black ink that reads "Ric McIver". The signature is written in a cursive, flowing style.

Ric McIver
Minister

Attachment: Ministerial Order No. MSD:059/24

cc: Mayor Jim Willmon, Summer Village of Sunbreaker Cove
Lucien Cloutier, Municipal Governance Advisor, Municipal Affairs
Angela Bilski, Municipal Training Advisor, Municipal Affairs



ALBERTA
MUNICIPAL AFFAIRS

Office of the Minister
M.A., Calgary-Hays

MINISTERIAL ORDER NO. MSD:059/24

I, Ric McIver, Minister of Municipal Affairs, pursuant to Section 168(2)(b) of the *Municipal Government Act*, make the following order:

1. That Mayor Jim Willmon, the remaining councillor, constitutes quorum for the Summer Village of Sunbreaker Cove;
2. That Lucien Cloutier, Municipal Governance Advisor, is appointed as the Official Administrator to supervise the Summer Village of Sunbreaker Cove and its council;
3. That Angela Bilski, Municipal Training Advisor, is appointed as Deputy Official Administrator; and
4. That this order will be in effect until a by-election is held and council quorum is restored as defined in the *Municipal Government Act*.

Dated at Edmonton, Alberta, this 15 day of July, 2024.



Ric McIver
Minister of Municipal Affairs