

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL MEETING OF COUNCIL**

DATE: Tuesday, November 15, 2022

TIME: 10:00 a.m.

PLACE: Council Chambers, Memorial Hall
290 Esplanade Avenue, Harrison Hot Springs, BC

IN ATTENDANCE: Mayor Ed Wood
Councillor John Buckley
Councillor Leo Facio
Councillor Allan Jackson
Councillor Michie Vidal

Deputy Chief Administrative Officer/CO, Debra Key

ABSENT:

1. CALL TO ORDER

Mayor Wood called the meeting to order at 10:00 a.m.
Mayor Wood acknowledged the traditional territory of Sts'ailes.

Mayor Wood stated that the Special Council meeting is a result of a request from Councillors Facio and Vidal pursuant to s. 126 of the *Community Charter* to discuss concerns of administration.

The Mayor read out s 126, subsection 2 and 3 of the *Community Charter* and stated that Councillors Facio and Vidal requested a closed Special Council meeting, but were denied for the following reasons:

Under the *Municipal Act*, Section 188, subsection 1 and subsection 2(a)

The Mayor stated that a closed meeting runs contrary to the principals of openness, transparency and accountability as per the legal framework for open and closed meetings per the Office of the Ombudsperson.

The Mayor quoted Section 90 and 90(2) of the *Community Charter*. The Mayor stated that he believed that "discussion of administration" does not fall under section 90(2) of the *Community Charter*. The Mayor elaborated on the two different meanings in the *Community Charter*, "must" and "may".

The Mayor stated that no reasonable person would think "administration" is an adequate description for the purpose of a meeting. And of course, by discussing items in a closed meeting it automatically gags the Council from discussing in public.

The Mayor stated that he works for the public and he is their voice. The public has concerns of our administration which he has publicly stated before. And that it is vital that these concerns be held in the public and not in closed meetings unless absolutely necessary.

The Mayor reported out on a quote from the Municipal Lawyers fall newsletter:

"The democratic legitimacy of municipal decisions does not spring solely from periodic election, but also from a decision-making process that is transparent, accessible to the public and mandated by law. When a municipal government

*Village of Harrison Hot Springs
Minutes of the Special Council Meeting
November 15, 2022*

improperly asks for secrecy, this undermines the democratic legitimacy of its decisions”

He stated that as the Mayor, he will ensure that closed meetings that should not be closed are open, and to see that the law for improvement in good government of the municipality is carried out. A closed meeting runs contrary to the principals of openness, transparency, and undermines the public confidence in government.

The Mayor stated that due to changing events in the last 24 hours, and the fact that a notice of closed or special meeting must be given at least 24 hours in advance. However, notice of a special council meeting may be waived by a unanimous vote of all council members. Section 127 states that before holding a meeting that is closed the council must by resolution pass in an open meeting that the meeting or part of the meeting will be closed and the basis on which it will be closed as set out in section 90.

The Mayor reported on section 90 of the Community Charter, meetings: that may or must be closed to the public; 90(1)- part of the council meeting may be closed to the public if the subject matter being considered relates to or is one of the following:

90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Moved by Mayor Wood
Seconded by

THAT Council proceed to a closed meeting pursuant to section 90(1)(a) of the *Community Charter* immediately at the close of the Special Council meeting.

**MOTION FAILED
LACK OF SECONDER**

Councillor Jackson asked the mayor for clarification on the matter and asked what the purpose of this motion is for, as Council has not had a chance to discuss anything at this point.

Councillor Jackson stated he does not want this Council to get off to a bad start. He ran for election to do better for Harrison, not to get involved in the very beginning on matters that need a lot of discussion. He thinks they are jumping the gun and not getting things settled.

Councillor Jackson stated that with two new Councillors that haven't been on Council in a while and a new mayor, he believes that Council needs to support each other and that this particular time is not the time to have these discussions. Council should be consolidating their information.

The Mayor stated that this request to move to a closed meeting was initiated by Councillor Facio and Councillor Vidal, and that he is only putting the motion forward to do so.

Village of Harrison Hot Springs
Minutes of the Special Council Meeting
November 15, 2022

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the verbal report of Councillor Facio and Councillor Vidal be removed from the agenda.

**CARRIED
UNANIMOUSLY**
SC-2022-11-01

2. INTRODUCTION OF LATE ITEMS

None

3. APPROVAL OF AGENDA

Moved by Councillor Facio
Seconded by Councillor Vidal

THAT the agenda be approved as amended.

**CARRIED
UNANIMOUSLY**
SC-2022-11-02

4. DELEGATIONS/PETITIONS

None

5. REPORTS FROM STAFF

None

6. BYLAWS

None

7. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

Questions from the public were entertained.

8. ADJOURNMENT

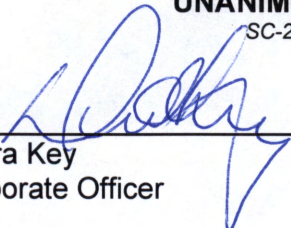
Moved by Councillor Facio
Seconded by Councillor Buckley

THAT the meeting be adjourned at 10:17 a.m.

**CARRIED
UNANIMOUSLY**
SC-2022-11-03



Ed Wood
Mayor



Debra Key
Corporate Officer