



**Village of Lytton  
Special Council Meeting  
Agenda - Wednesday December 15, 2021 at 7:00 pm  
Conducted via Zoom**

**1 CALL TO ORDER**

**2 ADOPTION OF AGENDA**

**2.1 Agenda for the December 15, 2021 Special Council Meeting**

**2.2 Introduction of Late Items**

*THAT Council adopt the agenda for the December 15, 2021 Special Council meeting as presented/amended.*

**3 PUBLIC COMMENT**

Public are invited to comment on matters pertaining to the agenda, for up to two (2) minutes.

**4 STAFF REPORTS**

**4.1 Chief Administrative Officer**

a) Short-Term Recovery Plan Updates **P.1**

**4.2 Chief Financial Officer**

a) Scotiabank Signing Authority Update **P. 1**

*THAT upon the resignation of Robert Leitch from Councillor for the Village of Lytton received on December 10, 2021 Council remove Robert Leitch as signing authority for the Village of Lytton for all financial, corporate, and legislative duties.*

b) Unbudgeted Public Works Expenses (2021) **P.3-4**

*THAT Council approve the payment of invoices as presented in the Unbudgeted Public Works Expenses 2021 report dated December 15, 2021 to be funded from the 2020 General Stabilization Reserve.*

**4.3 Corporate Officer**

a) By-Election Update **P.5**

*THAT Council receive the December 15, 2021 information report titled "By- Election Options."*

**5 REPORTS FROM MAYOR AND COUNCILLORS**

- 5.1 Mayor Polderman
- 5.2 Councillor Hay
- 5.3 Councillor Graie

**6 NEW BUSINESS**

**7 ADJOURNMENT**

- 7.1 **Adjournment of the December 15, 2021 Special Council Meeting**

*THAT the December 15, 2021 Special Council Meeting be adjourned.*



## REPORT TO COUNCIL

**DATE:** December 15, 2021  
**TO:** Mayor & Council  
**FROM:** Terry Hawes, CFO  
**SUBJECT:** Unbudgeted Public Works Expenses 2021

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**Request for:**  Direction  Decision  Information

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**Recommendation:**

***THAT Council approve the payment of invoices as presented in the Unbudgeted Public Works Expenses 2021 report dated December 15, 2021 to be funded from the 2020 General Stabilization Reserve.***

**Background:**

Annually Council adopts a Five-Year Financial Plan Bylaw. Staff then relies on the approved operating budget and capital project authorizations to review and pay contractor invoices. The Village has received invoices for expenses (from contractors) that are not included in the 2021 approved operating budget. These contractors point to verbal approvals from Village Public Works staff. The Village Policy is to have Staff issue Purchase Order's (PO's – pre-numbered) in advance for all work to be performed. These PO's identify the funding and authorization from the approved budget.

**Discussion:**

There have been invoices for expenses already approved by previous Staff which have been paid. An accounting of these invoices is not currently available as these are continuing to be identified during the data rebuild. Staff will report to Council at a future meeting with more information to these expenses.

Staff are working to prevent further occurrences of these unauthorized expenditures. This includes advising all contractors that Invoices submitted that are not supported by a PO will not be paid.

**Short Term Recovery Plan (if applicable):**

N/A

**Financial Impact:**

The outstanding Invoices received to date are:

<b>Vendor</b>	<b>Invoice</b>	<b>Date</b>	<b>Amount</b>
Cyclone Hydrovac Ltd.	11193	June 24, 2021	\$ 3,360.00
Cyclone Hydrovac Ltd.	11819	October 12, 2021	\$ 2,257.50
Gormac Developments Ltd.	2021-08a	June 24, 2021	\$10,077.11
Gormac Developments Ltd.	2021-08b	June 24, 2021	\$ 7,068.60
Gormac Developments Ltd.	2021-xxx	September 17, 2021	\$ 26.84
<b>Total:</b>			<b>\$22,788.84</b>

The description of services on the invoices noted in the report are for; trenching of waterlines, bags of concrete, flushing of sanitary runs, excavation and locate line break at sewer plant.

Funds will need to be expended from the 2020 General Stabilization Reserve, the balance in this reserve before this allocation is \$175,067.

**Communication to the Public:**

N/A

**Options:**

N/A

Respectfully submitted,

Terry Hawes, CPA  
Chief Financial Officer

**CAO Comments:** *Currently staff is developing a Purchasing Policy which will outline the authority levels, required supporting documentation and parameters with regards to procurement practices.*

**Attachments:**



## REPORT TO COUNCIL

**DATE:** December 15, 2021  
**TO:** Mayor & Council  
**FROM:** Shannon Story, Corporate Rebuilding Lead  
**SUBJECT:** By-Election Options

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**Request for:**  Direction  Decision  Information

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### **Recommendation:**

THAT Council receive the December 15, 2021 information report titled “By- Election Options.”

### **Background:**

On December 9, 2021, Councillor Robert Leitch resigned from Council. Councillor Tiffany Callawaert-Haugen had also previously resigned from Council earlier in 2021 and a by-election was originally scheduled for August 7, 2021, to fill that vacancy. This by-election was cancelled by Ministerial Order as a result of the June 30<sup>th</sup> fire.

### **Discussion:**

According to Section 54 of the *Local Government Act*, a by-election must be held to fill a vacancy in an elected local government office that occurs if the person holding the office resigns from office.

The *Local Government Act* does contain provisions that allows Council to decide that a by-election to not be held including a vacancy occurring after January 1<sup>st</sup> of the year of a general local election if the number of remaining council members is at least one greater than the quorum for the council as well as if the vacancy occurs after June 1<sup>st</sup> in the year of a general local election. Unfortunately, none of these provisions apply to the current scenario.

Lytton staff have approached the Ministry of Municipal Affairs to inquire whether it would be an option to obtain another Ministerial Order allowing Lytton to wait until the General Election Day of October 15, 2022, to replace the two vacancies. The Ministry has responded that this is not an option available under their governing legislation.

In order to successfully run a by-election given the Village of Lytton’s current post-fire reality where the majority of Lytton’s residents are no longer living in Lytton and are located across British Columbia, Lytton will need to offer a mail in voting option along with in person voting opportunities in Lytton. This requires an amendment to Lytton’s Election Bylaw.

According to the *Local Government Act*, an election bylaw must be adopted at least 42 days

before the first day of the nomination period for the election. If the new election bylaw is brought forward to Council on January 12, 2022, for first three readings and for adoption on January 26<sup>th</sup>, this would make the first day of the nomination period on March 15, 2022. Therefore, the date of the by-election will be **Saturday, April 30, 2022.**

**Financial Impact:**

A by-election will have a significant financial impact on the Village of Lytton. There will be costs associated with staffing, advertising and mail in ballots.

An election budget will come forward to Council in January.

**Communication to the Public:**

An extensive communication plan targeting the various locations where Lytton residents are currently residing will be developed to get the word out to Lytton residents on how to vote via mail or at the voting opportunities in Lytton.

**Recommendation:**

That Council receive this Information Report on holding a By-Election.

Respectfully submitted,

Shannon Story,  
Corporate Rebuilding Lead

for

Leslie Groulx,  
CAO

**CAO Comments:** *The cost of municipal elections and if required by-election(s) is the responsibility of the corresponding municipality. In the coming budget process for 2022, an annual amount should be identified and budgeted to build a operating reserve account for the election process be it every four years or for a by-election.*