

Agenda 23-20

Regular Meeting of the Council of the Village of Carmacks, Yukon to be held in the Council Chambers of the Carmacks Municipal Building at 7:00 PM on Tuesday, October 17, 2023.

1. CALL TO ORDER

2. AGENDA (motion to adopt)

3. ADOPTION OF MINUTES (motion to adopt)

3.1 Regular meeting of October 3, 2023

4. DELEGATION

4.1 The Honourable Premier Ranj Pillai – Meeting with VoC Mayor & Council

5. CORRESPONDENCE

6. REPORTS

6.1 Council Activity Reports

6.2 Mayor Report

6.3 CAO Report

6.4 AYC

7. ACCOUNTS PAID AND PAYABLES

8. BYLAWS (motion to adopt)

8.1 Municipal By-election By-Law – 294-23

9. NEW & UNFINISHED BUSINESS

9.1 Council Resolution – FCM Municipal Asset Management Funding Assertion

10. QUESTION PERIOD

11. INCAMERA (motion to go in and out of session and recorded time)

12. ADJOURNMENT

**MINUTES FROM THE REGULAR MEETING OF THE COUNCIL FOR THE
VILLAGE OF CARMACKS ON OCTOBER 3, 2023 IN THE MUNICIPAL COUNCIL
CHAMBERS**

PRESENT: Mayor: Lee Bodie
Councillors: D. Hansen, H. Belanger
Staff: CAO M. Cybulski, L. Snyder

ORDER: Mayor L. Bodie called the meeting to order at 7:03 PM.

AGENDA: Council reviewed the agenda.

23-19-01 M/S Councillors D. Hansen/H. Balanger motioned that the agenda be accepted with the addition of RCMP delegation.

CARRIED

MINUTES: From the regular meeting on Sept 19, 2023.

23-19-02 M/S Councillors H. Belanger/ D. Hansen motioned that the minutes be accepted as amended.

CARRIED

MINUTES: From the special meeting on Sept 26, 2023.

23-19-03 M/S Councillors D. Hansen/H. Belanger motioned that the minutes be accepted as presented.

CARRIED

DELEGATION:

4.1. RCMP Sept report – One of the officers is being transferred out and there is no permanent replacement available. There will be on call staff from Whitehorse for a month at a time until the position is filled. Calls have been down for the second month in a row and there were no calls of note in September.

CORRESPONDENCE:

5.1. Garvice Rd – Children Playing Traffic Sign

Letter from a resident regarding the Children Playing Sign. They wanted it removed as it is in the industrial area, and they don't think it is allowed to be there. CAO stated all the residents in the area were asked about it and all were in favor except this resident.

REPORTS:

6.1 Councillor Activity Reports

Councillors D. Hansen and H. Belanger attended the meeting with Minister Mostyn. They also attended the meeting with the Auditor.

6.2 Mayor's Report

Mayor Bodie attended the meeting with Minister Mostyn and would have pushed harder on one of the agenda items but had already heard they were working on it. He also attended the meeting with the Auditor and along with Councillors D. Hansen and H. Belanger. They thanked Lisa for all her work to get the audit through.

6.3 CAO Report

Overview provided regarding the CMHC HAF Application and anticipated timeline for the decision process. Additional topics discussed were the upcoming landfill townhall meetings, the selected dates for upcoming special working council meetings and the meeting with the Premier at the next regularly scheduled council meeting.

Updated mock-ups of the updated municipal website were shared with Mayor & Council to positive feedback.

6.4 Public Works General Manager Report

New UV sensors on the way and some new hardware for the treatment plant. A rep from WSP will take the PW crew through the plant and show them some troubleshooting steps. Looking for better ways to heat/insulate the lift station so it does not freeze up again.

Old firehall has some structural issues that will be expensive to address, and the furnace system will eventually need to be replaced.

New firehall has some lighting issues and issues with the locks. Working with locksmith and builder to address the situation.

Looking at changing the Shop to propane as the current fuel tank is damaged and the furnace is not currently operational.

The park and VIC facilities have been winterized. PW crew and the Rugged apprentices worked on Pocket Park and Merv Tew.

PW will be flushing the storm water system before winter to try and reduce blockage issues over the winter.

6.5 Recreation Centre Report

The final tally is done for the Recreation Logo. The new logo will be announced tomorrow morning at the RPAY event.

6.6 AYC Report

No report

7.0 ACCOUNTS PAID AND PAYABLES

No report provided.

8.0 BYLAWS

NEW AND UNFINISHED BUSINESS

9.1 VOC – Councillor Resignation

Councillor K. Untershute provided a letter to the CAO announcing his resignation. Councillor D. Hansen accepts his resignation with regrets. Mayor and Council will send a letter to thank him for his 2 years on Council.

CAO working with Jennifer Runey to set up a by election.

QUESTION PERIOD

No questions from the public.

IN-CAMERA

Motion to move into Closed Meeting in accordance with the Yukon Municipal Act, Section 213 (3) (a) if in the case of a council, the council decides during the meeting to meet as a council committee to discuss a matter;

23-19-08 M/S Councillors D. Hansen/ H. Belanger motioned to go in-camera at 8:09PM.

23-19-09 M/S Councillor H. Belanger motioned to go out of in-camera at 8:44PM.

ADJOURNMENT

23-19-10 M/S Councillor H. Belanger motioned to adjourn the meeting at 8:44PM.

Mayor L. Bodie adjourned the meeting at 8:44PM.

Mayor Lee Bodie

CAO Matthew Cybulski



Village of Carmacks

P.O.Box 113
Carmacks, YT Y0B 1C0

To: Mayor & Council

Date: October 17, 2023

From: Matthew Cybulski, Chief Administrative Officer, Village of Carmacks

Re: CAO Debrief (October 3, 2023 to October 17, 2023)

Hello Mayor & Council,

Major updates and minor debriefing of municipal service developments and administrative activities:

1. VoC Staffing Update

- Village Office Administrative Assistant Competition Completed
- 6 submitted applications and 4 candidates screened for interviews
- Recreation Director position posted October 16th
- Recreation Assistant position posted October 16th
- Landfill/Public Works position posted October 16th

2. Regional Landfill Update

- Bag Tags arrived.
- VoC Landfill Townhall Meeting – October 25th & November 9th – Hosted at CRC
- Mail out educational packages sent out October 13th
- Landfill Operations Special Council meeting held October 10th
- One-way gates and all POS equipment ordered
- Plan for retrofitting former VIC to Landfill Staff Attendant station underway
- Staff hiring procedures in motion for November 15th launch of new operations and service model.

3. Geothermal Energy Conference Update

- Hosted by Yukon Government Geothermal Energy Department
- October 13th from 9AM to 4PM – Sternwheeler Conference Center

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- Attended by VoC CAO and PW GM
 - Speakers included Carloyn Relf, Maurice Colpron (Yukon Geological Survey), Jeff Witter (Innovate Geothermal, Jasmin Raymond (Professor at INRS), and Jim Craven (Geological Survey of Canada)
 - Agenda items included the potential of geothermal energy production in Carmacks
 - Barriers to geothermal development in Carmacks are high development costs, lack of Geothermal Energy legislation, and the requirement for deep-hole drilling to reach geothermal heat levels.
 - Topic for future discussion once territorial legislation has proceeded.
4. Village of Carmacks Fibre Internet Upgrade
- VoC Facilities to be switched from business level DSL to Unlimited Fibre Business Package 250
 - Upgrade to be completed October 20th
 - Potential overages at Carmacks Recreation Complex are not longer an issue (Averaged \$90-120 in overages per month) Rec Complex high watermark for overages was \$600 in March 2023)
 - Facilities with unlimited Fibre internet coverage include Carmacks Recreation Complex, Village Office, Fire Hall, and Wastewater Plant
 - VoC Regional Landfill and Waste Management Facility to be provided network coverage by Starlink.
5. Upcoming Special Meeting Dates – Confirmation of Schedule
- Preliminary Capital Budget Planning Meeting – October 30th @ 7PM
 - VoC Wage Scale Review Meeting – October 30th @ 7PM
 - Public Works Gas Tax Proposal Meeting – November 1st @ 7PM
 - CAO Performance Review – November 1st @ 7PM

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6. On the Horizon

- Budget Development Process – November & December 2023
- CAO Training continues in Asset Management Practices
- Proposed Firearm Safety Course (PAL) to be hosted in partnership with VoC and Charles Laanstra
- Landfill Service By-law 291-23 starts November 15th, 2023
- Joint Council Meeting potential dates shared with LSCFN – Awaiting reply.

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Carmacks By-Election (2023)

- Kevin Unterschute's resignation from council is effective September 25, 2023
- The first step for the community will be to appoint a Returning Officer
- The procedure is to bring a bylaw forward for council's approval - as usual, it will require 3 readings over the course of 2 separate meetings.
- I will send Carmack's most recent bylaw to appoint a returning officer for a byelection as an example.
- Based on the fact that the resignation for Council is effective September 25, the following are the earliest dates on which the nomination day and polling (election) day may take place:
 - Notice of Nomination Day – 7 days prior to the nomination day chosen by council
 - Nomination Day (October 25, 2023 to Nov 9, 2023)
 - Polling Day - TBD
- Once the returning officer is officially appointed by bylaw, they must advertise these dates, and they need to give at least 7 days' notice.
- CA will be able to provide the necessary documents and information that may be required as the Returning Officer for the By-Election.

Municipal Act References:

- Section 146(1) states that the Nomination Day can not occur earlier than **30 days** after the vacancy occurs or later than **45 days**.
- Section 146(2) – allows the nomination day to occur earlier if two-thirds of Council agree to this.
- Section 146(3) If there is a Poll, it is to occur the third Thursday after the Nomination Day.
- Section 59 (3) If a by-election occurs and the list of electors has not been revised within the eight months preceding the date of the by-election, the council shall cause the list of electors to be revised in accordance with the provisions of this Act.

(1) Despite section 59, a council, if it so desires, may by bylaw:

- (a) dispense with the requirement of a list of electors for an election; and*
- (b) prescribe procedures and forms governing the conduct of elections otherwise consistent with this Act.

* This is a common practice and would be my recommendation given the timelines for this by-election.

Community Affairs Role in By-Election:


- Provide copies of any documents as needed: These include nomination papers, oaths of office and oaths of allegiance.
- Support CAO as needed.

After the election

At the next Council meeting, the OATH OF OFFICE and OATH of ALLEGIANCE forms will be filled out by the new Councillor. They will need to read out the statements in both forms at the meeting before signing and in front of a Notary Public who will also need to sign off the documents etc.



2023 Carmacks Municipal By-Election

Date/Deadline	Description and <i>Municipal Act</i> references
September 25	Councillor resignation date
October 17	By- Election Bylaw 1 st and second reading to appoint Returning Officer and establish other election arrangements. s.56
Special meeting**	Election Bylaw passed to appoint Returning Officer and establish other election arrangements. s.56
October 18 – November 2	Notice of Nomination Day, posted and advertised. s.74
October 25 – November 9	Deadline for nominations to be submitted. s.146
Should an election be required (more Nominees than council vacancies)	
November 30	Election day s.52 

**Please refer to the noted *Municipal Act* section(s) for more details.

VILLAGE OF CARMACKS
BYLAW # 294-23

A Bylaw of the Village of Carmacks to regulate the Municipal By-Election in the Village of Carmacks

Whereas Section 53 of the Municipal Act, being Chapter 19 of the Statutes of the Yukon (2003) and amendments thereto, provides that the Council may by Bylaw regulate the conduct of an election; and

Whereas Section 146 of the Municipal Act, being Chapter 154 of the Statutes of the Yukon (2002) and amendments thereto, provides that the Council may by Bylaw regulate the conduct of a by-election;

NOW THEREFORE pursuant to the provisions of the Municipal Act of the Yukon Territory, the Council of the Village of Carmacks, in an open meeting duly assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the “Municipal By-Election Bylaw #294-23”.

INTERPRETATION

2. In this bylaw,
 - (1) “Act” means the Municipal Act
 - (2) “council” means the Council of the Village of Carmacks.
 - (3) “elector” means a person qualified to vote in a municipal election pursuant to the Municipal Act.
 - (4) “village” means the Village of Carmacks.

ELECTION OFFICIALS

3. (1) **NAME** is hereby appointed Returning Officer.
 - (2) The Returning Officer appointed by Council hereby has delegated authority to appoint Deputy Returning Officers and Poll Clerks as necessary.
 - (3) Election officials shall, during their employment, refrain from any active or public support or criticism of any candidate.

LIST OF ELECTORS (DISPENSED WITH)

4. (1) As provided by Section 60.(1) of the *Act*, the Village of Carmacks dispenses with the requirement of a list of electors for this by-election;

NOMINATIONS

5. (1) Council Chambers located in the Village office is hereby designated as the place for nomination proceedings.
 - (2) Nomination Day is October 18th, 2023.
 - (3) The Returning Officer will receive Nominations no later than 12 o’clock noon on Thursday, November 2nd, 2023.

**VILLAGE OF CARMACKS
BYLAW #294-23**

PLACES AND HOURS OF POLLS

6. (1) If an election is required, the advance polling place and the regular polling place shall be established in the Council Chambers in the Village Office.
- (2) The advance poll shall be held Thursday, November 23rd 2023, and the hours of the poll shall be from 8:00am to 8:00pm.
- (3) The regular poll shall be held Thursday, November 30th 2023 and the hours of the poll shall be from 8:00am to 8:00pm.

FEES

7. The following rates shall be paid to persons acting as election officials, other than full time officers or employees of the Village of Carmacks.

Returning Officer	\$25.00 per hour
Deputy Returning Officer	\$20.00 per hour
Poll Clerk	\$15.00 per hour

REPEAL

8. Bylaw #169-08 is hereby repealed.

ENACTMENT

9. This Bylaw shall come into full force and effect upon passing thereof.

READ A FIRST TIME THIS 17th DAY of October 2023.

READ A SECOND TIME THIS 17th DAY of October 2023.

READ A THIRD TIME AND FINALLY PASSED THIS DAY of , 2023.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



Village of Carmacks

P.O.Box 113
Carmacks, YT Y0B 1C0

Re: Council Resolution

Resolution Title: FCM - Municipal Asset Management Program - Project 17129 - Audit Resolution

Resolution Date: October 17th, 2023

Whereas: Due to the outstanding status of this project audit and the required 3rd party signatories not being communicatively accessible to meet the signatory requirement of this audit;

Whereas: It has been determined by the VoC Administration and FCM "Municipal Asset Management Program, that a resolution outlining the accuracy and appropriate use of agreed funding in-lieu of the original agreement with signatures;

Therefore, Be it Resolved: Is acceptable to complete the outstanding FCM "MAMP" Project 17129 Audit. Village of Carmacks Mayor & Council are requested to pass a resolution confirming such.

Elected Official Signature:

CAO Signature:

Date:

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