Alberta Municipal Affairs

Village of Longview

Municipal Inspection

January 31, 2019

Attached is a copy of the report made to the Minister by the Inspector, as required by section 571(5) of the *Municipal Government Act.* In response to a request from the Minister, the Village of Longview council reviewed the report and a letter outlining items of greatest concern. These concerns include the Inspector's findings regarding the management of municipal bylaws, capital project management and use of project grant funding, and meeting procedures including improper application of pecuniary interest.

Council responded to most of the concerns identified. The Minister accepted the response and council's willingness to take steps to correct several items, including the management of bylaws, the establishment of committee bylaws and meeting procedures. In addition, council must respond to the more significant concern relating to capital project management and use of project grant funding for the development of the walking path project.

As a result of council's cooperation, by May 15, 2019 council will be submitting a written update of the status of their progress in addressing the issues. The Minister will take this submission into consideration before a final decision is made on whether or not directives will be required.

In the meantime, ministry staff will be available to provide advisory support to facilitate council's success in correcting the concerns identified through the inspection.

Once council's information is reviewed, a summary outlining the Minister's decision and reasons will be published along with the inspector's findings.

Questions can be directed to:

Municipal Accountability
Municipal Capacity Building Unit
AB Municipal Affairs
17th Floor, Commerce Place
10155 – 102 Street
Edmonton, AB T5J 4L4
Call toll free at 310-0000 then dial 780-427-2225

September 2018

Village of Longview, Alberta Municipal Inspection Report



SAGE ANALYTICS

SAGE Analytics Inc.
Edmonton, Alberta

September 7, 2018

The Honourable Shaye Anderson
Minister of Municipal Affairs
18th floor, Commerce Place
10155-102 Street, Edmonton, AB, T5J 4L4

Re: Village of Longview Municipal Inspection Report

Dear Minister Anderson:

An inspection has been conducted of the management, administration and operations of the Village of Longview, Alberta as directed by Alberta Ministerial Order No. MSL:010/18, approved on March 7, 2018.

The municipal inspection findings are contained in the following report. A recommendation for Ministry guidance and directives is respectfully submitted for your consideration.

Thank you for the opportunity to assist with this process. Our inspection team remains available to respond to any questions you may have regarding the inspection findings.

Sincerely,

SAGE Analytics Inc.

Shari-Anne Doolaege, MPA, Q.Arb., CLGM
President, Sage Analytics Inc.
Municipal Inspector, Village of Longview, Alberta

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Table of Contents

EXECUTIVE SUMMARY **3**

1 SCOPE OF MUNICIPAL INSPECTION **4**
1.1 Legislative Basis and Provincial Mandate for the Municipal Inspection 4
1.2 Municipal Inspection Project Components 5
1.3 Project Timeframe 6
1.4 Research and Interviews 6

2 MUNICIPAL DESCRIPTION **7**
2.1 Municipal Profile 7
2.2 Geography 9

3 GOVERNANCE **11**
3.1 Municipal Purpose 11
3.2 Council Structure 11
3.3 Council Role Clarity 12
3.4 Council Leadership 12
3.5 Council Committee Structure 14
3.6 Council Meeting Procedures 16
3.7 Meeting Minutes 21
3.8 Pecuniary Interest 23
3.9 Bylaws 24
3.10 Policies 25

4 ADMINISTRATION **28**
4.1 Chief Administrative Officer 28
4.2 Performance of Major Administrative Duties 28
4.3 CAO Performance Evaluation 30

5 OPERATIONS **31**
5.1 Public Works 31
5.2 Recreation and Culture 32
5.3 Protective Services 36
5.4 Planning and Development 37

6 FINANCE **41**
6.1 Budget Process 41
6.2 Property Assessment and Tax Rate Comparison 43
6.3 Financial Reporting to Council 44
6.4 Procurement Practices 47
6.5 Capital Improvements 48
6.6 Utility Charges 48
6.7 Overall Financial Position 49

7 CONCLUSION **50**

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EXECUTIVE SUMMARY

A municipal inspection was conducted for the Village of Longview, Alberta as directed by the Minister of Alberta Municipal Affairs. The independent municipal inspection process involved great detail and rigor to review and evaluate the village management, administration and operations. A municipal inspection is an extraordinary measure of accountability for a municipality and its officials.

Stakeholder input was very strong throughout the inspection process. The inspection team heard directly from many individuals who were very passionate about achieving their view of what they felt was best for the community. Many residents expressed a need for change and greater harmony in the community.

The local political capacity suffered in recent years where elected officials and staff struggled to adequately perform their leadership duties. A leadership gap developed as valuable political time and energy needed for strategic planning, branding and community sustainability was consumed by a constant and often unappreciated effort to cater to demands of local interest groups.

Officials were regularly subjected to a hostile environment in their efforts to advance community projects. At times, the municipal absence in local project management placed community volunteers at risk. Some past council members and former staff served as an informal “shadow council” and a negative, antagonistic local environment developed. Village officials conducted themselves amid demands, criticism, and overall harsh treatment, which often impacted council meeting decorum.

The municipal inspection identified areas of concern in village governance, such as several bylaw irregularities and improper policy development. Improvident management was also identified with a lack of accountability of public funds contributed to local organizations and weak oversight on community projects. Overall, the inspector is of the opinion that the municipality has been managed in an irregular, improper and improvident manner.

RECOMMENDATION FOR COMMUNITY OVERSIGHT: That the Minister provide guidance and directives to the municipality to strengthen local governance processes, to ensure full legislative compliance, and to ensure accountability of public funds contributed to community projects.

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1 SCOPE OF MUNICIPAL INSPECTION

1.1 Legislative Basis and Provincial Mandate for the Municipal Inspection

The Minister of Alberta Municipal Affairs received a sufficient petition from the electorate of the Village of Longview in December 2016. Mr. Rick Smith was the petitioners' representative. A preliminary review was completed by Alberta Municipal Affairs in April 2017 which identified concerns that justified an in-depth review. Following the October 2017 general municipal election, the Minister of Alberta Municipal Affairs responded by ordering a municipal inspection in accordance with the MGA s. 571.

Alberta Municipal Affairs called for proposals from qualified, independent consulting companies to conduct a municipal inspection through a competitive bid process. Sage Analytics Inc. and Strategic Steps Inc. submitted a team proposal and were awarded the contract with Sage Analytics Inc. acting as the primary proponent. These independent, third-party consultants conducted a municipal inspection into the management, administration and operations of the Village of Longview. The municipal inspection team held diverse subject matter expertise and knowledge of municipal matters across areas of governance, administration, operations, finance, planning, and protective services. This report is provided to the Minister with details of the inspection findings.

Alberta Ministerial Order No. MSL:010/18 was approved on March 7, 2018 where the Honourable Shaye Anderson, Minister of Municipal Affairs, appointed an inspector to conduct an inspection of the management, administration and operations of the Village of Longview pursuant to Section 571 of the *Municipal Government Act* (MGA). Upon review of the inspection findings, the Minister may order directives upon a municipality pursuant to the MGA s. 574. The management, administration and operations of a municipality are further defined in the MGA s. 571(1.1) as shown below:

> *(1.1) For the purposes of subsection (1), the management, administration or operation of a municipality includes*
>
> *(a) the affairs of the municipality,*
>
> *(b) the conduct of a councillor or of an employee or agent of the municipality, and*
>
> *(c) the conduct of a person who has an agreement with the municipality relating to the duties or obligations of the municipality or the person under the agreement.*

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The following definitions were used in reference to the above MGA sections:

Irregular: ..... Not according to established principles, procedures or law; not normal; not following the usual rules about what should be done.

Improper: ..... Deviating from fact, truth, or established usage; unsuitable; not appropriate; not conforming to accepted standards of conduct.

Improvident: ... Lacking foresight; taking no thought of future needs; spendthrift; not providing for or saving for the future; not wise or sensible regarding money.

1.2 Municipal Inspection Project Components

The municipal inspection process included the following tasks and services:

1. Review and evaluation of:
   - bylaws and key policies for adequacy, relevancy, consistency, and conformity with legislation;
   - the structure of council committees in relation to legislative requirements;
   - the process and procedures used to prepare for council meetings;
   - council's understanding of their role and responsibilities;
   - council's leadership and effectiveness in working together;
   - the CAO's understanding of his role and responsibilities;
   - the process for preparing and approving council meeting minutes and a review of recent minutes;
   - the financial status of the municipality;
   - the financial reporting to council;
   - the budget process;
   - planning and development processes;
   - key planning documents;
   - attendance at, and evaluation of, the conduct of a council meeting;
   - a comparative analysis of the property assessment and tax rates with similar municipalities; and
   - conduct interviews with members of council and the CAO, staff, and a sample of residents.
2. Prepare a written report to the Minister of Municipal Affairs for review and consideration, including:
   - A description of the legislative basis for inspections and the specific authorization for the inspection;
   - A description of the municipality;
   - A description of the inspection findings, analysis, conclusions, including a statement of whether or not overall, the municipality is managed in an improvident, improper or irregular manner and identify those improvident, improper, or irregular matters;
   - Any recommendations to the Minister to address results of the inspection process.

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3. Present a summary of the report to the municipal council and to the public.

This inspection report reflects a refined municipal inspection process with a strong focus on the Minister as the audience. The report excludes local recommendations that may resemble a corporate review, which is a different and separate process from a municipal inspection.

1.3 Project Timeframe

The appointed municipal inspector and inspection team conducted research, interviews and data collection primarily during March-April 2018. The inspection team followed local issues and remained available to receive further information and seek clarification from stakeholders until the final report was submitted to Alberta Municipal Affairs in September 2018.

1.4 Research and Interviews

Project research began with an extensive review of key documents and stakeholder interviews conducted by the inspection team. Council, staff and other stakeholders were obliging and cooperative in accommodating interviews and providing information upon request. This input was used to gather data and to develop an understanding of the community dynamic and local issues.

Municipal inspection interviews were conducted with council, staff, the petitioners' representative, various stakeholders and a random sample of residents. Many stakeholders were provided with follow-up interviews where further clarification was required, and to give individuals a chance to hear and respond to sensitive matters affecting them.

Residents and other stakeholders were invited to provide input into the inspection process by participating in an anonymous online survey which received a very strong response. Approximately 50 unique and valid survey responses were completed and received in both online and hardcopy formats. Survey respondents and interviewees answered consistent questions and the *quantitative* and *qualitative* data provided was used to assess and summarize information themes gathered from a fairly representative sample of the community population.

A designated email address was established specifically for this municipal inspection to allow residents and other stakeholders to easily contact the inspector during the inspection. The inspector's contact information was made available to the community on the municipality's website and a related notice was posted at the village office.

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2 MUNICIPAL DESCRIPTION

2.1 Municipal Profile

The Village of Longview was incorporated in January 1964 and was previously known as Little New York. This small community boasts several amenities, such as art galleries, fine dining, scenic mountain landscapes, and a K-6 school. The local economy benefits from and relies on a strong tourism industry. Several events are held locally, and the community participates in initiatives, such as the Cool Little Towns which showcases small communities as tourism destinations south of Calgary. The Cowboy Trail corridor of Provincial Highway No. 22 runs directly through the village.

The strong community history includes a Twin Cities reference to “Little New York” and “Little Chicago” districts in the Longview area that once coexisted as part of a bustling oilfield community in the depression era of the 1930s. The local Little New York Daze celebrates this piece of history. Longview is the home of Canadian Country Music star Ian Tyson, and the area has hosted the film industry featuring western scenes. The scenic foothills countryside is filled with ranch land and oilfield activity.



Figure 1 – Monumental Derrick near the Twin Cities Hotel in Longview

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Neighbourly concern for each other was clear in this small community. One resident commented that because the community is so small if someone is hurting, everyone sees it.

The village is a member in the Foothills Regional Emergency Services Commission and is surrounded by the Municipal District of Foothills No. 31 as a rural municipal neighbour. Officials described positive and supportive intermunicipal relationships within the region.

The municipal profile[1] for the Village of Longview shows the following statistics:

- 3 Member council
- 1 Full-time staff position*
- 307 Population
- 149 Dwelling units
- 97 Hectare land base
- 2.0 Kilometers of open maintained roads
- 6.0 Kilometers of water mains
- 6.7 Kilometers of wastewater mains
- $642,625 long term debt
- 57% of debt limit used



Figure 2 - Main Street/Highway 22, Longview



Figure 3 – Photo of Longview from Highway 22

[1] http://www.municipalaffairs.alberta.ca/mc_municipal_profiles. Data is provided from most recent available statistics from 2016.
* The municipal profile shows 1 fulltime staff position, while 4.5 FTE positions existed.

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2.2 Geography

The Village of Longview is located in the Rocky Mountain Foothills, approximately 50 kilometers southwest of the outskirts of Calgary, Alberta, as shown in the following Google maps:

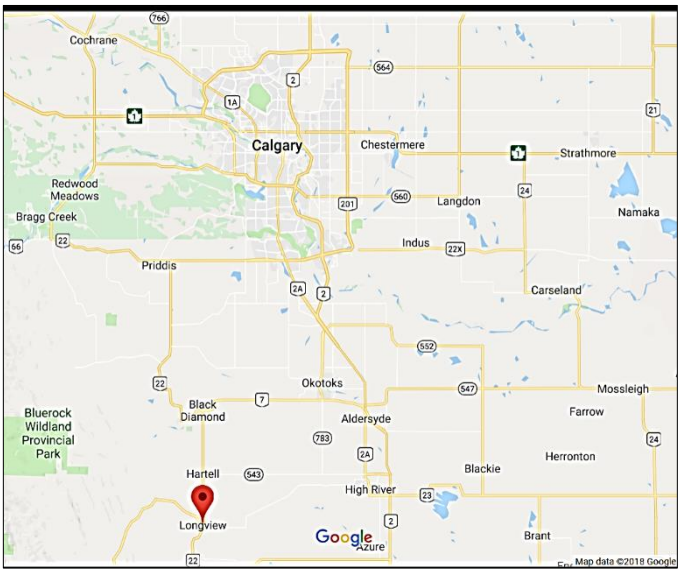


Figure 4 – Map showing proximity from Calgary, Alberta



Figure 5 - Map of the Village of Longview, Alberta

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MUNICIPAL INSPECTION FINDINGS

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3 GOVERNANCE

3.1 Municipal Purpose

Alberta municipalities are established under provincial authority and are required to follow provincial and federal legislation. The *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* (MGA) is a primary piece of provincial legislation that provides order, authority and direction to municipalities. The MGA gives broad authority to municipalities to govern their respective jurisdictions and specifies the roles, responsibilities and limitations of officials in carrying out governance activities. The MGA is specific about many governance aspects, and effective April 1, 2018 the basic purposes of a municipality are as follows:

> ***Municipal purposes***
>
> *3 The purposes of a municipality are*
>
> *(a) to provide good government,*
>
> *(a.1) to foster the well-being of the environment,*
>
> *(b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality,*
>
> *(c) to develop and maintain safe and viable communities, and*
>
> *(d) to work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services.*

3.2 Council Structure

The Village of Longview is governed by a three-member council elected at large. The following individuals were elected during the 2017-2021 council term and three of these officials served on the municipal council for the Village of Longview during the municipal inspection:

- Kathleen Wight (Mayor)
- Christina Weir (Deputy Mayor)
- Lenard Kirk (Councillor, elected in December 11, 2017 by-election)
- Carole Macleod (resigned October 27, 2017)

There was competition for council positions in recent years with four candidates seeking council positions in the 2017 general election, and seven candidates vying for three positions in the 2013 general election. Three candidates were declared elected by acclamation in 2010.

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3.3 Council Role Clarity

The broad governance responsibilities of elected officials require a solid orientation. MGA amendments effective July 1, 2017 require orientation training to be offered to councillors following an election or by-election (s. 201.1(1)). All three current Longview council members participated in Munis 101 council orientation training at the start of the 2017-2021 council term.

3.4 Council Leadership

Municipal council leadership serves as a central force to accomplish municipal purposes and provide good government (MGA s. 3). Strategic planning is one of the key ways in which a municipal council identifies and communicates priorities for the future with goals to achieve the municipality's vision. A council aligns resources with strategic priorities through the budgeting process and establishes local service levels by policy or bylaw.

Formal strategic planning lacked attention in the Village of Longview and formal strategic priorities were not determined. Council's leadership and decision-making was not linked to solid strategic planning efforts. The CAO indicated that the village has tried to advance strategic planning, but strategic planning failed to happen because of difficulty arranging a facilitator.

The absence of central strategic leadership on council created a void which became filled with various community initiatives led by a strong local volunteer base. The village provided in kind and direct financial support to several local volunteer-led projects over the years. Some recent and ongoing projects include a walking path, playground, outdoor skating rink, soccer field, senior's bus, and community hall kitchen upgrades.



Figure 6 – Outdoor Rink Signage

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3.4.1 Council Leadership Rating

Local stakeholders were given the opportunity to rate the leadership shown by the current council through the municipal inspection survey and interviews. Respondents gave the council a fairly harsh leadership rating, as shown in the following chart:

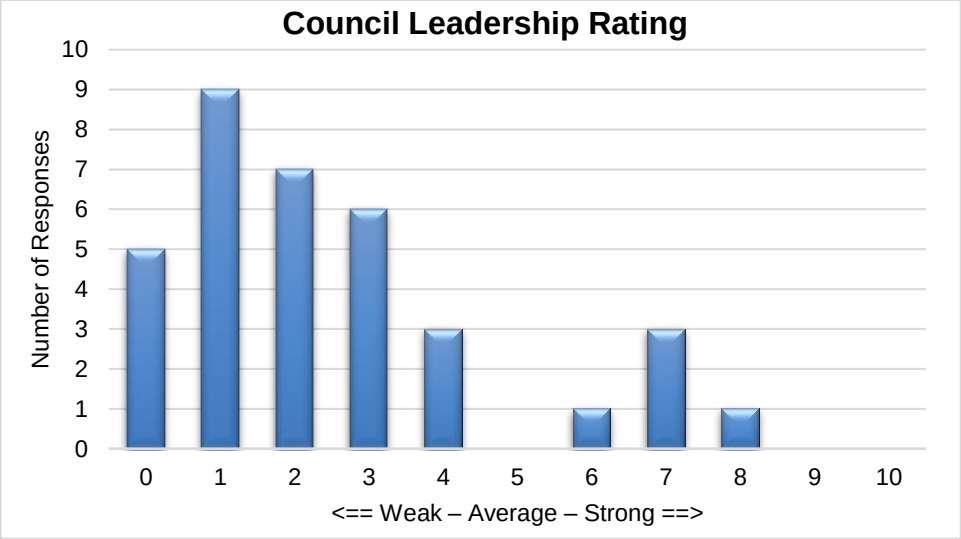


Figure 7 - Council Leadership Rating

Survey respondents both praised and criticized council's leadership, as shown in comments below:

- *Council now seems to be working well together.*
- *I don't believe Council is leading at all but being led by the current and last CAO.*
- *Much better now than in the past few years.*
- *no respect for each other and talking behind backs for many years back.*
- *Absolutely no vision-no plan. Council merely does the bidding of a few long-term residents. This group… ensures the money goes where they want it to, not in the best interests of the community.*
- *As with any small community, long term vision is hampered by the funding and resources available. Council willingness to move forward has been slowed do to the fact the CAOs have never had a long track record of hanging around. The present CAO with has been here almost 2 years (is starting to get legs under him).*
- *In my opinion council has not provided good governance to the village as a whole. Certain groups who are loud and obnoxious seem to be the ones who get what they want. There is such a division in our village that there is no clear "vision" as of yet.*

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- *3 councillors with different personalities that can't work effectively together. This repeats itself year after year after year.*
- *We have no leadership in the village. There are several people who control council, and their needs and agendas are met. If you are not part of this group, your voice is mute, and you are subject to being ignored, humiliated or harassed. Unfortunately, there is no vision for the future.*
- *Council has been divided and polarized. Undue influence from outside citizens, infighting and lack of transparency have been issues.*
- *Not enough transparency but seems to be improving lately. Thank goodness for a CAO. Previous CAO tried and got fired!!*
- *There is little or no leadership on important future issues such as finances, reserves, infrastructure, and no interest in developing policy for governance that is clear and transparent.*
- *I must say there hasn't been any leadership shown by the Village of Longview's council. This village is run by 3 or 4 bullies, 3 of whom had been on the council in the past, they are usually in the gallery during the council meeting yelling or making derogatory remarks if they don't get their way and bully the council into making decisions that suit them and not necessarily what is best for the village.*
- *They have shown that they do not really care about what the residents need or want. The sewer in Longview at Westview place has been a problem for the past 5 years and all we get is lip service about "We're looking into it".*
- *They were disconnected from community. Egos and their own interest at heart. Little things that are necessary to oversee didn't matter.*
- *Although I can imagine how difficult council can be, I feel the current council is a bit on the weak side.*

3.5 Council Committee Structure

Organizational meetings were held annually in accordance with the timeframes required in the MGA s. 192(1). Two organizational meetings were held in 2017 with one following the October general election and a second organizational meeting following the December 2017 by-election. Organizational meeting minutes show that various council committee appointments were made which reflects council's intent to maintain involvement in various service commissions, societies and local organizations. Committee appointments are shown in the following excerpt from the December 19, 2017 organizational meeting:

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4. **COMMITTEE APPOINTMENTS**

Moved by Mayor Wight that the following committee appointments and Director of Disaster and Emergency Management Appointment for the until the next Organizational Meeting of the Village of Longview shall be as follows;

Committee Appointments

Mayor & Reeves	Mayor
Longview Library – Mayor Wight	Alternate – Deputy Mayor Weir
Fire Department – Councillor Kirk	Alternate – Deputy Mayor Wight
Westwinds Communities – Mayor Wight	Alternate – Councillor Kirk
FRESC – Councillor Kirk	Alternate – Mayor Wight
Economic Development Committee – Deputy Mayor Weir	Alternate – Councillor Kirk
EDC Citizen appointees	
Carole MacLeod, Walter Fox, Rick Smith - Tabled for further recommendation from EDC	
ISDAB Secretary – Dale Harrison	
D.A.R.E. – Deputy Mayor Weir	Alternate – Councillor Kirk
Longview School – Deputy Mayor Weir	Alternate – Councillor Kirk
Sheep River Regional Utility Corp. – governance – Mayor Wight	Alternate – Councillor Kirk
Sheep River Regional Utility Corp. – technical – Councillor Kirk	Alternate – Mayor Wight
FCSS – Deputy Mayor Weir	Alternate – Councillor Kirk
Emergency Management (formerly Disaster Services)	DDEM Appointment – Councillor Kirk
Crescent Point Community Foundation – Mayor Wight	Alternate – Deputy Mayor Weir
Recreation Board – Deputy Mayor Weir	Alternate – Councillor Kirk
Municipal Planning Commission – All of Council	

Moved by Mayor Wight that the Committee appointments be approved.

Resolution 191-17 **CARRIED**

The MGA s. 145-146 provides specific direction that a council may pass bylaws to establish council committees and the conduct of members of council committees. Most council committees were established by bylaw for the Village of Longview, although a bylaw to establish the local Family and Community Support Services could not be located. Failing to establish a council committee by bylaw is an irregular matter.

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3.6 Council Meeting Procedures

Regular council meetings were held once per month. Occasional special meetings were also held, as required. The council chambers in the village office had limited space and officials chose to hold regular council meetings at the local Community Hall in order to provide more room for members in the gallery.

Council members were guided by a Procedure Bylaw 388-16 *"to regulate the procedure and conduct of Council, Councillors and others attending Council and Council Committee meetings in the Village of Longview."*

Recent MGA amendments include s. 146.1 which requires a municipal council to pass a Code of Conduct Bylaw. Longview council complied with this legislative requirement and passed a Code of Conduct Bylaw #412-18 in June 2018.

The Procedure Bylaw 388-16 allows the public to speak to council as registered delegations as well as through a less formal "public discussion" as referenced below:

Public Discussion

35. Prior to the adjournment of a Council Meeting a period of public discussion may occur at a point of time set out in the agenda as approved by Council.
36. Any such public discussion shall be regulated as follows:
    a. Any resident or group of residents of the Village of Longview may speak to any matter within the jurisdiction of the Council, and
    b. Any resident or group of residents may speak on any one topic for no longer than five (5) minutes, after which Council may ask questions of the speaker.
    c. Any resident or group of residents may speak on more than one topic as long as all topics meet the requirements of subsections a. through b.
37. The total time given for public discussion shall be thirty (30) minutes.
    a. If the public discussion requires more time, any individuals may request at that time to have their discussion scheduled into the next Council meeting as per section 45 of this bylaw.

The council also was observed to invite or permit periodic interjections from members of the public in the gallery during council debate. Permitting unregistered delegations to speak during a council meeting detracts from the important formality of council meetings.

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Transparent decision-making is a fundamental tenet of local government. The right of the public to be present during council meetings in accordance with the MGA s. 198 is not intended to mean that the public can actively engage in council meeting discussions. Local governments follow a system of *representative democracy* where candidates are elected to represent the citizenry. This is different from *participative democracy*, or direct democracy, where all citizens are actively involved in all important decisions.[2] To be clear, local governments in Alberta follow a system of representative democracy where citizens elect council members to represent them in making decisions.

Council meeting preparation included comprehensive meeting agendas that were provided to council electronically and in hard copy prior to council meetings. The Procedure Bylaw (s. 52) specifies that the agenda and supporting documentation be provided to council two business days prior to meetings. Council meeting agendas were made available to the public through the village website prior to council meetings.



Figure 8 - Longview Community Hall



Figure 9 - Longview Council Chambers

The municipal inspector attended the following council and committee meetings to observe and evaluate the meeting conduct:

- March 20, 2018 regular council meeting
- April 4, 2018 council committee of the whole meeting
- April 17, 2018 regular council meeting
- May 15, 2018 regular council meeting

[2] http://www.encyclopedia.com/topic/participatory_democracy.aspx

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The following observations were noted by the inspector during the council meetings:

- Agenda Items were organized and staff recommendations were provided for agenda items within a request for decision format.
- The CAO and all members of the council were respectful to each other.
- The council meetings were very well attended by interested community members.
- Hardcopy agendas were made available to the public at the council meeting.
- Council allowed or invited comments from members of the gallery.
- A sign-in sheet was provided for the public to sign in when attending the meeting, which is not necessary.
- On May 20, 2018 the mayor stated that the council was "going in camera" but there was no official resolution made or voted on to close the meeting to the public. When council ended the closed portion of the council meeting they did not open the door to notify the public that the public portion of the meeting had resumed.
- On May 20, 2018 decorum was lacking at times. Members from the gallery interjected into council discussions to the minutia of who would be cleaning the tea towels at the community hall.
- Council members asked thoughtful questions and followed along during budget discussions.
- The April 17, 2018 regular council meeting started early, at 6:00 p.m. at the village office where council heard a presentation of the 2017 annual financial statements from the village auditor. The change in start time and location of the meeting were not advertised. There was no resolution to close the meeting to the public, but the public did not have a chance to be present. By 7:00 p.m., council relocated to the community hall and resumed the meeting with the public present.

The MGA s. 197 allows a council to close all or part of a meeting to the public in accordance with the exceptions to disclosure found in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act* (FOIP).

The FOIP exceptions to disclosure were typically not referenced prior to closing portions of meetings to the public, and similarly, FOIP provisions were not referenced in the meeting minutes. The December 19, 2017 special meeting minutes shows an example of a closed "in camera" portion of a meeting, as follows:

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MINUTES OF THE REGULAR MEETING
OF THE COUNCIL OF THE VILLAGE OF LONGVIEW
In the Province of Alberta, held on Tuesday, Dec 19, 2017 in
Longview Community Hall commencing at 7:00 p.m.

CORRESPONDENCE	Letter from Minister of Municipal Affairs
IN-CAMERA Resolution 212-17	**MOVED** by Mayor Wight that Council go In-Camera **CARRIED**
Resolution 213-17	**MOVED** by Mayor Wight that Council come out of In-Camera **CARRIED**
Council to meet with ARC Committee Resolution 214-17	**MOVED** by Councillor that Administration arrange a meeting with the ARC Committee early in the New Year. **CARRIED**
ADJOURNMENT Resolution 215-17	Mayor Wight adjourned the meeting at 9:15 p.m.

In another example from the February 20, 2018 meeting minutes, council closed the meeting to the public "for discussion on personnel" but there is no reference to the specific section of FOIP exceptions to disclosure:

IN-CAMERA	
Resolution 33-18	**MOVED** by Mayor Wight that the Council go in-camera for discussion on personnel. Time 9:10 p.m. **CARRIED**
Resolution 34-18	**MOVED** by Mayor Wight that the Council come out of in-camera Time 9:27 p.m. **CARRIED**

The traditional municipal adage referencing general "Land, Legal and Labour" matters is not sufficient to close a meeting to the public. Greater clarity and FOIP considerations are needed before closing a portion of a meeting.

Council acted in an irregular manner by failing to show the FOIP provision identifying the reason to close a meeting to the public. The MGA s. 197 provides clear requirements to regulate closed portions of council and committee meetings. The MGA also specifies what is to be recorded in the meeting minutes, such as identifying the person/s who were allowed to attend the closed portion of the meeting, and the reasons for allowing them to attend. Municipal resources are available that could help the village to improve meeting procedures[3].

[3] Municipal resources for Procedure Bylaw and Agenda available at:
http://www.municipalaffairs.alberta.ca/documents/Procedure%20Bylaw%20and%20the%20Agenda.pdf

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3.6.1 Council Meeting Professionalism Rating

The municipal inspection survey invited stakeholders to rate the level of professionalism they observed in the council meeting process. The majority of respondents rated council meetings as being unprofessional, as shown in the chart below:

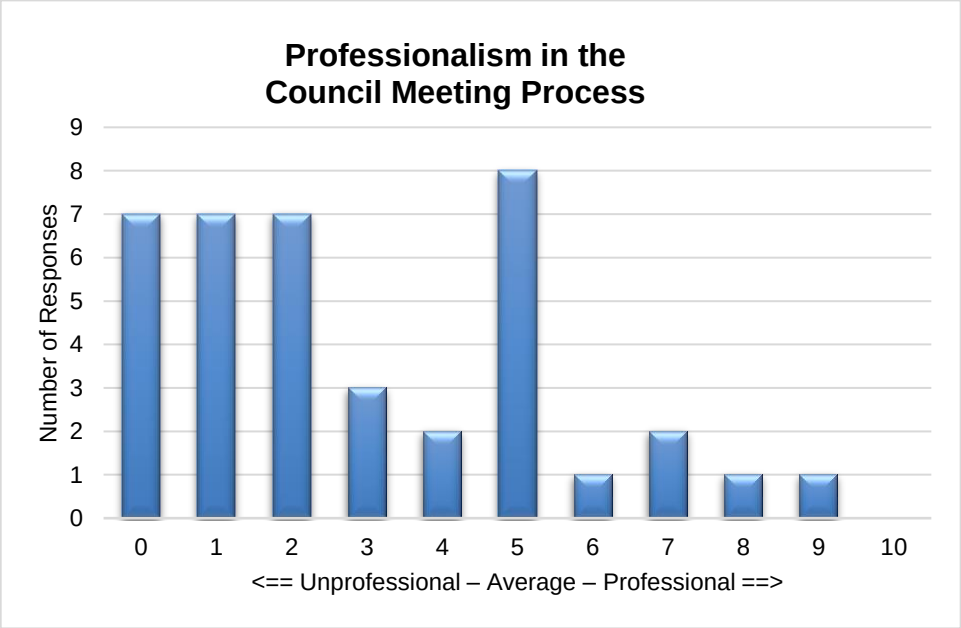


Figure 10 - Public Rating of Professionalism in Council Meetings

Several survey comments provide a snapshot of the council meeting dynamic, as shown in comments below. These comments largely emphasize the need for stronger meeting decorum, greater respect for officials, and more overall civility during council meetings:

- *Council is still learning how to deal with the evident hostility from some residents.*
- *Good usually.*
- *Members of the public bully the council and council usually.*
- *A very tense atmosphere between citizens and council.*
- *There is a group of residents who are very vocal and extremely disrespectful at meetings. It's always the same people and they are never challenged by council or held accountable for their comments.*
- *Chair does not control the gallery. Procedural bylaw is not adhered to.*

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- *There is little control over what is said to a councillor or other member at the meeting. There are times where a speaker should have been reprimanded at best, or asked to leave the meeting altogether. The bullying is out of control.*
- *Over the last year and a half has been run well with some bickering happening from the floor but was contained.*
- *In a small Village, Council does try to move the meeting forward to the best of their abilities but at times there is a voice that comes from the crowd that tends to stop or side step the process. Council does try to move forward in a positive way and for most of the time they are able to get business done in a productive way.*
- *Meetings usually result in chaos. Rude councillors and very disruptive gallery. Very little discussion on important issues.*
- *I think our village is in trouble. It's in serious peril. Facebook rant and rave is so negative and hateful.*
- *Council members are not and have not in the past few years, been confident and strong enough to deal with the "bullies" that attend meetings with their own agendas.*
- *I have attended several council meetings in each of the past 3 years, and am always taken back at how poor these meetings are run and how unprepared Council is to deal with the agenda items. Even though they get all the relevant information and documents well in advance of the council meetings, they always act uninformed and confused.*
- *There has never been 100% mutual respect amongst councillors during my years in the community. Councillors appear to have their own agenda and are unwilling to consider or explore the viewpoints of other councillors. Often this means dwelling on the way things have been done in the past rather than a future vision or approach.*
- *Public outbursts are the norm. No one asks for permission of the chair to speak.*
- *Disjointed in the past and present. Gallery is not always under control and intimidates council. One gallery resident shook his finger at a councillor when she asked a valid question. He told her not to worry about that. Residents of Longview want answers to the same questions.*

3.7 Meeting Minutes

The MGA requires council meeting minutes to be properly stored and presented to council for approval in accordance with the MGA s. 208(1). Longview's council meeting minutes and bylaws were securely stored at the village office, in the care of the CAO.

Council meeting minutes followed an organized format and were promptly presented to council for approval at subsequent meetings.

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Meeting minutes contain an irregular matter in recording the council resolutions to pass bylaws. Resolutions to "proceed to third reading" did not contain a clear reference showing that it was Carried "Unanimously" such as the example from the May 15, 2018 special council meeting, shown below:

MINUTES OF THE REGULAR MEETING
OF THE COUNCIL OF THE VILLAGE OF LONGVIEW
In the Province of Alberta, held on Tuesday, May 15, 2018 in
Longview Community Hall commencing at 7:00 p.m.

BYLAWS	
Bylaw 408-18 2018 Tax Bylaw Resolution 092-18	**MOVED** by Mayor Wight that the Bylaw 408-18 receive 1st. Reading. **CARRIED**
Resolution 093-18	**MOVED** by Councillor Kirk that the Bylaw 408-18 receive 2nd. Reading. **CARRIED**
Resolution 094-18	**MOVED** by Deputy Mayor Weir that the Bylaw 408-18 proceed to 3rd. Reading. **CARRIED**
Resolution 095-18	**MOVED** by Mayor Wight that the Bylaw 408-18 receive 3rd. Reading. **CARRIED**

Similarly, when all three bylaw readings were given at the same meeting, a resolution to proceed to third reading was not always recorded in the meeting minutes, as shown in the following example from the June 6, 2018 special council meeting:

3.3 – Bylaw 412-18 Council Code of Conduct Resolution 114-18	**MOVED** by Councillor Kirk that Council pass 1st. Reading of Bylaw 412-18 Council Code of Conduct as amended. **CARRIED**
Resolution 115-18	**MOVED** by Mayor Wight that Council pass 2nd. Reading of Bylaw 412-18 Council Code of Conduct. **CARRIED**
Resolution 116-18	**MOVED** by Mayor Wight that Council move Third Reading of Bylaw 412-18 Council Code of Conduct to the June 19th. Council Meeting. **CARRIED**

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3.8 Pecuniary Interest

Alberta's local government system emphasizes transparency and the MGA s. 172 gives clear direction to council members to conduct themselves properly when they encounter pecuniary interest situations. In brief, officials are required to disclose the nature of a pecuniary interest, abstain from voting and discussion, and leave the room until discussion and voting on the matter are concluded. According to the MGA s. 170, council members have a pecuniary interest if a decision of council could monetarily affect a councillor, a councillor's employer, or councillor's family. A monetary impact could be positive or negative. It is important for councillors to do their own research in advance when considering pecuniary interest matters. It is also important for council members to protect their interests and ensure that any abstentions from voting and disclosure of pecuniary interest are properly recorded in the council meeting minutes.

The current council did not appear to have a solid understanding of pecuniary interest matters and officials were overly cautious in abstaining from voting at times. As an example, at the February 20, 2018 regular council meeting, the minutes show that Councillor Kirk declared a conflict of interest and left the room without voting on the second reading of the Land Use Bylaw, as shown in the excerpt below:

BYLAWS **9.1 Land Use Bylaw 400-17**	Note that Councillor Kirk declared a conflict of interest and left the room.
Resolution 018-18	**MOVED** by Mayor Wight that the LUB 400-17 receive seconded reading as amended. **CARRIED**

The meeting minutes did not record when Councillor Kirk returned to the meeting. Councillor Kirk informed the inspector that he abstained from voting because he owned a property that would be affected by some of the proposed land use changes from a discretionary to a permitted use. This does not appear to be a pecuniary interest since the LUB provisions would apply commonly to the majority of the electors in that part of the community (MGA 170(3)(i)) and did not exclusively impact the councillor's family business.

In this example, Councillor Kirk acted in an irregular manner by abstaining from voting when a pecuniary interest was not apparent. Although the actions seem sincere and well-intentioned, failing to vote when a pecuniary interest is not present has serious consequences, including disqualification in accordance with the MGA s. 174(1)(f). The MGA requires participation when council members are present without a pecuniary interest and does not allow them to side step sensitive community issues.

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3.9 Bylaws

The Village of Longview bylaws were indexed, chronologically numbered, organized and stored securely. Relatively few bylaws were available on the municipal website for easy public access.

Some irregular matters regarding village bylaws were found, as follows:

1. The process used to pass bylaws did not always follow MGA requirements to give unanimous consent or a specific resolution to proceed to third reading when all three bylaw readings were given at the same meeting. This is contrary to the MGA s. 187(4).

2. Bylaws establishing council committees were not all in place. As an example, the bylaw to establish the Family and Community Support Services (FCSS) committee could not be located.

3. Property tax bylaws lacked clarity for 2017 and 2018 where the total village expenses were shown, without a corresponding amount of total village revenues.

4. The Property Tax Bylaw for 2016 also lacked clarity. The preamble shows total expenses and revenues along with a reference that *"…$456,579 is to be raised by general municipal taxation."* The 2016 property tax bylaw then references a General Municipal levy totalling $319,878.78. It appears that the $456,579 amount referenced in the preamble included all requisition levies, in addition to the general municipal tax revenue needed.

5. The 2017 and 2018 property tax bylaws contain a clause that rescinds the previous year's property tax bylaw. For example, Bylaw 401-17 states that *"Bylaw 385-16 is hereby rescinded."* This clause should not be included in preparing future property tax bylaws. Tax rates are levied and applied each year through the respective annual property tax bylaw. Suddenly repealing the previous year's bylaw may have implications to the prior year tax notices that were sent under the authority of prior year property tax bylaws.

The annual property tax bylaw wording could be improved. The municipality referred to this bylaw as a "taxation rate bylaw" which is close, but not exactly consistent with the wording in the MGA s. 353(1) that requires each council to pass a "property tax bylaw" annually.

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3.10 Policies

Policies are passed by a resolution of council to impose a duty or standard practice in accordance with the MGA s. 5. Some recent policy efforts were noted. Longview officials were diligent in drafting and approving a public participation policy in June 2018. This complies with recent amendments to the MGA s. 216.1(1) that require municipal councils to establish a public participation policy by July 23, 2018.

The Village of Longview policies were stored in a binder that appeared as a work in progress. The policy binder contained an assortment of old and new human resource management policies, several administrative procedures, a copy of a 2013 Active Community Strategy, a draft committee guideline policy, and several antiquated policies. Overall, the Village of Longview policies could use a thorough review and organization. In one example shown below, a 1998 village logo use policy was developed for a single local business, rather than applying broadly to the community as policies commonly do. A single, specific request could have been handled by council passing a simple resolution.

VILLAGE OF LONGVIEW POLICY

This Policy is subject to any specific provision of the Municipal Government Act, the Local Authorities Board Act or other relevant legislation.

NUMBER: 1.3.3.2-98 **SUPERCEDES:**

TITLE: Village Logo

REFERENCE: Council Resolution 98-69

ADOPTED BY: Village Council

DATE: June 11, 1998

****

POLICY STATEMENT:

Longview Beef Jerky is given permission to use the Village logo on promotional material..

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The policy binder contained a *draft* 2017 snow removal policy, however, the January 17, 2017 regular council meeting minutes show that a snow removal policy was approved by council. The policy manual was not kept up to date to reflect the most recent actions of council. It is unclear to readers if the draft snow removal policy in the policy binder was the same version that was approved by council.

Resident concerns and praise were shared with the inspector over snow removal practices within the village. In one example, village staff allegedly cleared sidewalks in front of local businesses and excluded the sidewalk in front of one Main Street business. That business owner then used farm equipment to clear snow from their property, and subsequently piled snow in the street and alley which caused a traffic disruption. Establishing, communicating and consistently following policies can improve fairness in overall service delivery.

Council meeting minutes show items receiving council's attention during meetings that could be handled by policy to ensure consistency, such as the following community hall rental waivers from the December 19, 2017 regular council meeting:

10.1 – RFD Hall Rental Waiver LNYD Resolution 198-17	**MOVED** by Deputy Mayor Weir that Council waive the Community Hall Rental Fees for the LNYD Valentines Dance. Administration to do up a letter of support. **CARRIED**
10.2 – RFD Hall Rental Waiver Senior's Club Pancake Supper Resolution 199-17	**MOVED** by Mayor Wight that Council waive the Community Hall Rental Fees for the Senior's Pancake Supper **CARRIED**
10.3 – RFD Hall Rental Waiver Longview Youth – Gran Prix Resolution 200-17	**MOVED** by Mayor Wight that Council waive the Community Hall Rental Fees for the Longview Youth Grand Prix **CARRIED**
10.4 – RFD Hall Rental Waiver ARC Line Dancing Resolution 201-17	**MOVED** by Deputy Mayor Weir that Council waive the Community Hall Rental Fees for the ARC Line Dancing in lieu of Wednesday night. **CARRIED**
10.5 – RFD Hall Rental Waiver ARC Volunteer Appreciation Dance Resolution 202-17	**MOVED** by Councillor Kirk that Council waive the Community Hall Rental Fees for the ARC Volunteer Appreciation Dance and that the committee provide proof of insurance. **CARRIED**

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The village website contained a reference/notice to a January 1, 2016 Longview Community Hall Policy and related pricing that states *"Not for Profit groups, as specified by Council, be granted the use of the Community Hall at no dollar rental fee upon the following terms…"* This policy was not in the policy binder. Officials could not confirm that this policy was approved by council resolution. Following a policy that has not received council approval is an improper matter. Additionally, these related rental fees were not approved by bylaw as part of the services provided by the municipality (MGA s. 7) which is an irregular matter.

Village of Longview policies have received intermittent, reactive attention. The policy manual was described by one official as being "in shambles" and incomplete. Although some policy efforts have been made, council has acted in an improper manner by failing to develop and evaluate policies for the community, according to the MGA s. 153 and s. 201. Stronger policy guidance would be helpful to provide clear direction to staff who deliver services, and to communicate service level expectations to the public.

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4 ADMINISTRATION

4.1 Chief Administrative Officer

A Chief Administrative Officer (CAO) is responsible for the overall operations of the municipality. The person holding the CAO position is the administrative head of the municipality and works closely with the council to ensure that local objectives are accomplished and that elected officials are advised in writing of their legislative responsibilities. Specific responsibilities for the CAO are outlined in the MGA s. 207-208.

Mr. Dale Harrison served as the CAO during the municipal inspection. Mr. Harrison has a lengthy municipal and economic development background along with an MBA degree. All staff and stakeholders were obliging and willing to provide information upon request throughout the inspection process and their cooperation and participation was greatly appreciated by the inspection team.

4.2 Performance of Major Administrative Duties

The MGA s. 208(1) provides specific direction on the performance of major administrative duties that a CAO must fulfill. Mr. Harrison had a reasonable understanding of administrative roles and responsibilities. As the administrative head of the organization, CAO Harrison had a substantial understanding of the local community services, as observed by the inspector during an April 18, 2018 tour and various conversations during the municipal inspection.

The CAO worked four days per week and attended regular evening council meetings. CAO Harrison fulfilled the duties and demands of the position. He demonstrated good organizational skills in preparing for meetings and worked diligently along with council through the 2018 budget approval process. Overall, it appeared that Mr. Harrison was focused on serving the community to the best of his ability.

The CAO indicated that the peace officer should be more involved in bylaw writing due to the bylaw component of the position. Certainly, the peace officer should provide input on bylaw enforcement provisions, but the broader legislative responsibility of drafting bylaws is better aligned with the CAO's administrative and legislative duties.

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CAO Harrison was also the FOIP coordinator for the community and was dealing with FOIP investigations at the time of the inspection.

Past agenda packages show that agenda items were regularly presented to council using a proper and formal Request for Decision (RFD) format for council's consideration, as shown in the following May 15, 2018 RFD example:



VILLAGE OF LONGVIEW
REQUEST FOR COUNCIL DECISION

Agenda Item #: 10.1

Date:	May 15, 2018
Title:	Economic Development – Audubon Membership
Submitted by:	Dale Harrison, CAO

Recommendation:		MOVED by _____ that the EDC Committee pursue Audubon membership with an annual membership fee of $500
Alternatives:	2.	Defeat above motion.
	3.	That discussion be tabled _____ *(for further information or future date).*

Background:	The Village of Longview could be the 1st community in Canada to achieve membership in Audubon that could be used as a marketing tool promoting environmental sustainability. Walter Fox will explain more as a delegation.

Implications:	
Policy, Statutory Plans, Legislative:	
Financial:	N/A

Communications:

Attachments: Is the documentation severed by FOIP: **NO**

1.

4.3 CAO Performance Evaluation

The MGA s. 205.1 requires a council to provide the chief administrative officer with an annual written performance evaluation. Formal CAO performance evaluations were not completed consistently in recent years. A performance evaluation was completed in 2018, around the CAO's one-year employment anniversary. Prior to this, performance evaluations of the past CAO were informal and consisted of feedback received by text or during personal interactions.

The lack of formal strategic planning and priority setting by council, coupled with the lack of performance evaluation of the CAO created an unclear administrative operating environment for staff. Village council acted in an irregular manner by failing to provide annual CAO performance evaluations in past years.

The 2016 dismissal of the former CAO, Ms. Vicky McGonigle received widespread attention in the community. Ms. McGonigle had a strong legislative background and deep ties to the Longview area. She showed a determination to serve the community and her leadership style was often met with resistance. Changing the administrative leadership was a contentious decision for the community; however, council acted within their authority to impact the appointment of their CAO in accordance with the MGA s. 206(1).

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5 OPERATIONS

5.1 Public Works

Longview contracted out several municipal services and also maintained a full-time public works operator. Residents were largely pleased with the level of services provided by the village for public works.

The garbage collection contract was identified as a concern in recent years when then mayor, Ivor McCorquindale was awarded the garbage collection contract. The village could not locate detailed records of this contract award process; however, Mr. McCorquindale did provide records showing that the contract for services was properly advertised and awarded when he held concurrent positions as mayor and garbage collection contractor for the village.

Residents expressed concerns over the level of water testing conducted by the village in relation to possible contaminants from hydraulic fracking in the area. A representative from Alberta Environment and Parks advised the inspector that there is a very low risk of this type of contamination due to broad industry regulations and the physical design of the village water access. Longview's water supply is classified as groundwater under direct influence of surface water. The shallow well draws from the river gravel aquifer and the risk of contamination is very low since any hydraulic fracking contaminants would need to end up in the river before it could enter the village well.

Resident concerns were also expressed over hydrocarbons detected at one residence near the trailer park. Officials indicated that this property was affected by the adjacent former gas station land that required remediation. Local officials and engineers were aware of the situation and described a plan to install a non-permeable pipe for the waterline in the vicinity.

Residents expressed concerns over a sewage odour coming from the village lift station area and one nearby manhole. Officials indicated that they were aware of the concerns and had worked with the village engineer to resolve the issue by adjusting the blower control settings at the lift station. Engineer reports also recommend annual sewer line flushing maintenance and officials indicated that this was scheduled for Fall 2018. Officials also proposed conducting a 'smoke test' to track air flow, however, this apparently required access to adjacent properties and access was not granted. As of September 2018, residents commented that the odour was reduced, but had not yet been remedied.

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Figure 11 – Longview Public Works Shop



Figure 12 – Longview Public Works Truck

5.2 Recreation and Culture

The Village of Longview has significant recreation and cultural amenities. Local parks, playgrounds and programs offer activities for all ages. The area hosts numerous events throughout the year, such as the Longstock Music and Arts Festival and Little New York Daze. The Village of Longview operates a tourist information booth and a campground.



Figure 13 – Longview Campground



Figure 14 – Longview Centennial Park

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5.2.1 Campground and Tourist Information Booth

Records show that the campground has provided a revenue stream for the village with approximately $30,000 of revenue reported in 2016 and approximately $22,000 reported in 2017. The Longview campground revenue fluctuated in prior years where various campground management arrangements were made with individual managers or local organizations. Operating costs and salaries exceeded revenues in 2017 totalling over $30,000.

Campground revenue totalled $1,500 in 2015. Officials confirmed that the management costs and related revenues were contracted out to a local organization at that time. In 2018, village oversight and control of the local campground management appeared to be strong.

5.2.2 Soccer Nets

Local concerns were noted over the placement of donated soccer goal posts for a community park. Council heard a presentation at the September 20, 2016 regular council meeting regarding the placement of the soccer nets and subsequently approved related signage for public areas and sports equipment to be used at one's own risk, as follows:

Item 6.4	**I. McCorquindale made a presentation regarding soccer nets in the Centennial Park.**
Resolution 154-16	**Moved by Deputy Mayor Ayrey the Village of Longview erect signage at all public areas advising that personal belongings and sports equipment are to be used at their own risk and may not be left unattended on Village property.**
	CARRIED

Records show that the council was informed that the soccer goal posts posed a hazard and did not meet regulatory standards. Officials acted in an improper manner by permitting the placement of these soccer goal posts.

5.2.3 Walking Path

The local walking path along the west ridge of the village was an area of both excitement and concern for many residents. This high-profile project was initiated by the local Arts, Recreation and Culture (ARC) Society and nearly all of the path construction was expected to be completed with local volunteer forces.

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Supporters of the path were glad to have easy access to the public recreation space with unobstructed scenic mountain views. Those opposed to the path stated that the short 0.6 km path started and ended abruptly without logically connecting to the village street network.



Figure 15 – Longview Walking Path Area

This recreation project on municipal land appeared well-intentioned, however, the path approval and lack of construction oversight led to this project being handled in an improper manner by village officials. Village council allowed a group of volunteers to develop land and use village equipment to construct the walking path and granted the volunteer group nearly every request they made. Project grant funding was approved in 2015 and the project was still underway in September 2018. The village will ultimately be responsible for the path maintenance upon completion.

Village council demonstrated weak leadership during this project which compromised the safety of willing path construction volunteers and the broader community. Concerns surfaced during construction when the untrained volunteers were ill-equipped to handle the toxic resin that was applied to the surface of the path. Other concerns were shared that elderly volunteers were loading material and performing work that was quite physically strenuous.

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On another occasion, the volunteer crew had a near-miss while constructing a fence near gas lines in the path area. The related incident report shows the following comments:

Crescent Point ENERGY CORP

First Report

☐ Incident ■ Near Miss ☐ Hazard I.D. Entered in KMI:

Date: Sept. 14, 2018

Description:

Volunteers from the town of Longview were in the process of constructing a walking path and a chain-link running south from Kananaskis Rd and south along the ridge and thru the green space to parallel with Riverview space. The volunteer workers were made aware that their were several CP lines paralleling and crossing the work area. Alberta One call was contacted and asked to line locate before Sept 12. Line locater showed up and found the chain-link fence was already constructed, one of the posts for the fence was approximately 2ft from our buried pipeline. The line locater contacted CP and informed us that the fence had been constructed before he located the lines.
The volunteer workers were under the assumption that the line locate was for the digging up of the grass and dirt to construct the walking path, not for the construction of the fence because the posts were only being put in to a depth of 8 inches.

This example highlights the need for proper approval, oversight, design and construction of village projects. The risk is too extreme to allow willing, unqualified volunteers to undertake significant projects on their own ambition. Fortunately, the village was spared a serious disaster where volunteers nearly ruptured a sour gas line through their inadvertent community building efforts.

In addition to safety concerns during the project construction, the overall project management and financial reporting was lacking. According to officials, an engineered design was not used, nor was the site tested for stability and suitability prior to construction.

The volunteer group accessed grant funding for the walking path project and ‘ran the expenses’ through the village accounts with corresponding cheques paid to the village from the local Arts, Recreation and Culture (ARC) Society. Village council acted in an improvident manner by failing to require full, transparent and regular financial accounting of this community project.

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5.3 Protective Services

5.3.1 Bylaw Enforcement

The village employed a part-time Peace Officer. The program was recently established in 2015 and expanded from a previous bylaw officer position. The peace officer demonstrated competence in the position and a high level of commitment to serving the community. The village location, directly along Highway 22 with a local school zone, provided a constant stream of fines revenue for the village which exceeded $60,000 in 2017. The 2017 department operating expenses totalled approximately $80,000 and a $55,000 capital expense was incurred for a vehicle, using MSI capital grant funding.

In early 2018 council seemed uncertain in responding to budget requests for the peace officer position. For example, standard operating equipment including winter tires and a camera system for the vehicle were not readily supported as priority items during budget deliberations, though these items were eventually approved. The inspector also noted that the peace officer was subjected to a high level of public scrutiny and criticism by certain community members. When asked about the level of public support for the position, one official indicated that *"People may criticize small things, but they don't take the time to understand the bigger picture."*

Support for law enforcement positions is important. The area had a recent peace officer fatality while on duty in 2012, and this occurrence should serve as a reminder of the high level of operational risk that a peace officer position can encounter.

5.3.2 Fire Department

The Village of Longview and area is served by volunteer members from the Foothills Fire Department operating out of the Longview Fire Station. Regional cooperation between the village and the Municipal District of Foothills No. 31 appeared strong, with a positive relationship focused on public service.



Figure 16 – Longview Fire Station Apparatus

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5.4 Planning and Development

5.4.1 Land Use Bylaw

The use of land in a municipality is primarily regulated by the local Land Use Bylaw (LUB). The MGA s. 639 requires every municipality to pass a LUB. This allows a municipal council to prohibit or regulate and control the use and development of land and buildings in a municipality (MGA s. 640).

Longview village council recently passed an updated LUB. The 155-page LUB #400-17 received first reading in September 2017 and was finally passed in June 2018. An excerpt is shown below:



Figure 17 – Longview Land Use Bylaw 400-17

The Village of Longview has a mix of residences and businesses located on its Main Street, which is also part of the Provincial Highway No. 22. Residential property owners along Main Street expressed concern that the zoning initially proposed along Main Street would restrict the redevelopment of a residence within the Central Business zoning. Village council took the time to consult and hear local concerns before exercising their authority to approve the new LUB.

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The approved bylaw shows that most of the Main Street land is zoned as a Central Business (CB) district, and that the existing residences (dwellings) are a permitted use, as shown in the excerpt below. The council had the authority to make the decision to approve the local zoning districts and related land use.

d. Dwellings, Single Detached, Located at: Lots 6,8,9, Block 4; Lots 1,2, Block 3; Lot 3, Block 2; Lot 5, Block 5; Plan 1777 JK and Lots 1 and 2, Plan 9510881

The Village of Longview Land Use District map forms part of the LUB #400-17, as shown below:

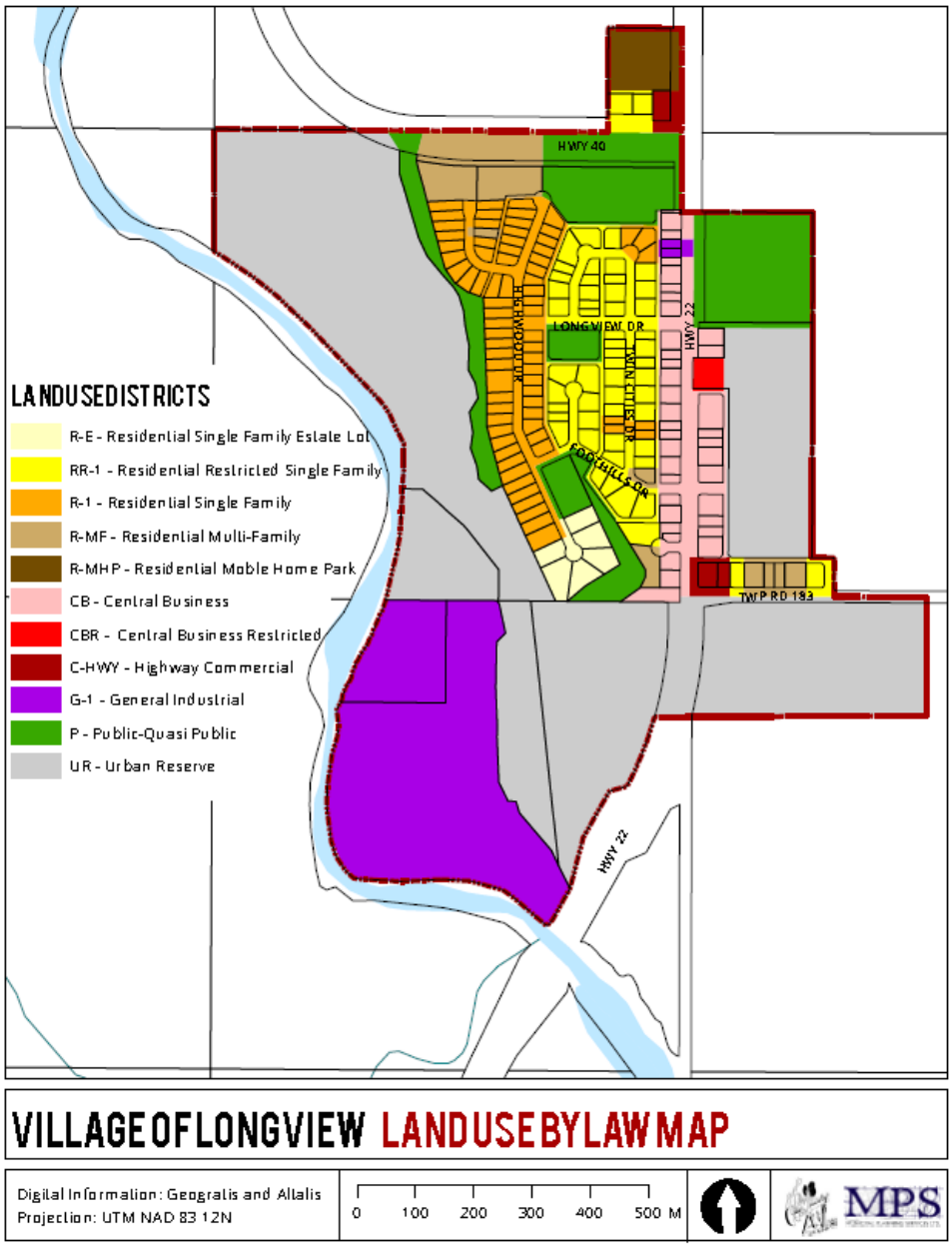


Figure 18 - Longview Land Use Bylaw Map

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5.4.2 MDP & IDP

Longview did not have a Municipal Development Plan (MDP). Recent MGA amendments require each municipality to adopt a (MDP) by April 1, 2021. Longview did not have an Intermunicipal Development Plan (IDP) with the neighbouring Foothills County. A collaborative effort will be needed as municipalities work towards compliance with recent MGA amendments that require an Intermunicipal Development Plan (IDP) and Intermunicipal Collaboration Framework (ICF) to be developed by April 1, 2020 between all municipalities with shared boundaries.

Municipalities must act in accordance with any applicable regional plan with the *Alberta Land Stewardship Act* (ALSA) which *"sets out the legal basis for regional land use planning in Alberta."* The MGA s. 570.01(1) specifically addresses measures for municipalities to act in compliance with ALSA regional plans. Local government bodies have until September 1, 2019 to file a statutory declaration of compliance with the Land Use Secretariat that the review required by this section is complete and that the local government body is in compliance with the regional plan.

The Village of Longview is located within the South Saskatchewan Region and must act in accordance with provincial regional planning initiatives within the South Saskatchewan Regional Plan (SSRP). The amended South Saskatchewan Regional Plan came into effect on May 31, 2018. ALSA compliance will need to be accomplished during the current council term. Officials indicated awareness of the SSRP and spoke of regional efforts to align with broader provincial planning requirements. The new LUB briefly references the SSRP in the Appeals section (p. 63), as follows:

3 | APPEAL DECISION

1) In determining an appeal, the Subdivision and Development Appeal Board:
   a. must have due regard for any applicable statutory plans;
   b. must conform to the use of land referred to in the land use bylaw;
   c. must be consistent with the Province's Land Use Policies, the South Saskatchewan Regional Plan, and any other approved regional plan (if applicable);

Changes to federal regulations regarding cannabis will impact local bylaws and will require amendments to ensure that municipal bylaws align with federal and provincial legislation. Longview's new LUB will need to be amended to address and align with federal legislation in *The*

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Cannabis Act as well as provincial legislation and the Alberta Cannabis Framework. Related resources are available to assist municipalities with these required changes. The June 6, 2018 regular council meeting minutes contain a reference to updated legislation, and officials appeared to be working towards these changes:

3.6 – Cannabis Legislation & Policy	**MOVED** Mayor Wight that Administration contact Municipal Affairs about deadline and develop recommended changes to the LUB, Business License Bylaw, Community Standards Bylaw to bring back to June Council Meeting. **CARRIED**
Resolution 122-18	

5.4.3 Development Application Review Process

One local development, known as the Honky Tonk Tavern stood out as a point of contention in recent years. The Tavern owners expressed concern that village officials frustrated their development process by losing their development application and by requiring menial conditions and inspections.

According to the owners, this led to lengthy delays in opening their business, and at one point the owners were temporarily banned from coming into the village office after requesting a copy of their development file which was apparently available for the public to view at the front counter of the village office. Being banned from the village office occurred after an apparent verbal altercation. This banning was problematic since the village office and post office are in the same building. The tavern owners indicated that they had to temporarily rely on others to pick up their mail and bring in payments. The tavern owners also expressed concern and provided documentation that a staff member who was assisting with the development application voiced personal opinions on social media opposing their development.

Village officials indicated that a proper development application was not received in a timely manner, and that the tavern owners proceeded with development before a development permit was issued. Village officials acted in an improper manner by becoming personally vocal in opposition to a proposed development; and by failing to communicate clear and timely development application needs. In September 2018 the inspector was informed that the Honky Tonk Tavern and adjacent liquor store had closed earlier that summer.

Current officials demonstrated stronger processes in handling development applications. In addition, new MGA legislation requires greater clarity in communicating the information required for development permit applications.

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6 FINANCE

6.1 Budget Process

Council carries the responsibility to determine local service priorities; to ensure that sufficient financial resources are allocated in annual budgets to accomplish strategic objectives; and to *"maintain a safe and viable community"* (MGA s 3). Annual budgets communicate the financial terms of a council's service level commitments to municipal activities.

The CAO prepared an operating budget for council's consideration. Village council was heavily involved in the budget process for 2018 which encompassed several meetings.

New legislation for financial planning in the MGA s 283.1(1) requires municipalities to prepare operating and capital plans for the next three and five years respectively, in addition to the current fiscal year. Village officials were aware of these requirements and indicated that they were working towards legislative compliance.

Budget process concerns were expressed in previous years when there was a lack of clarity in determining the final, approved budget figures. This was problematic and frustrating during the village audit and the lack of clarity on the approved budget figures seemed to stem from a lack of continuity in the CAO position. The auditor recommended stronger budgeting processes and current officials were receptive in accommodating recommended improvements.

6.1.1 Service Delivery Satisfaction Ratings

Residents were prominently divided on satisfaction over the level of services provided in the community as shown in the following inspection survey chart:

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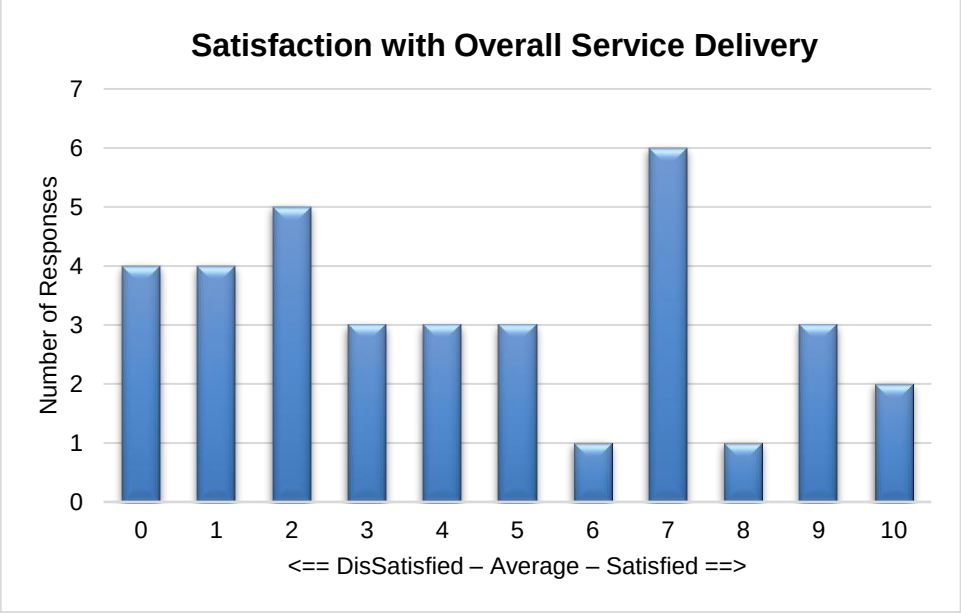


Figure 19 - Service Delivery Satisfaction

A sample of stakeholder comments related to service delivery satisfaction also reflected various views in the community:

- *Administration is OK. Unfortunately things are not always done in a timely manner which in turn costs the taxpayers. The same should be reviewed by the CAO so there is better efficiency in the office. Public works is amazing, he goes above & beyond! Protective services is also amazing but he was also hired as the bylaw officer which is lacking terribly. Planning is coming along.*
- *Justin our town guy does a fantastic job, as well as Justin the cop. Admin seems to me, to be above average.*
- *CAO, office staff, public service staff are doing a great job and are always very helpful and friendly.*
- *Administration and office staff, in my opinion are bias. Office staff not following standards of conduct or confidentiality. Hired a company in Edmonton to write up Land Use Bylaws. The village is not a city. Waste of money. Peace officer, original job posting was part time by-law officer, that suddenly turned into peace officer.*
- *The staff of the Village provide good value for the dollar and work very hard for the Village. However, they are hampered by the historical problems of the Village and Council's response to the same squeaky wheels all the time.*
- *I am satisfied with most services provided for such a small community, however, land use planning and economic development is a major concern and we are strongly lacking leadership in this area. In the past council has pushed their own agenda like a new development in town that did not attract young families to support our school or village, instead built homes they couldn't afford.*

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6.2 Property Assessment and Tax Rate Comparison

The inspection included a comparative analysis of 2016 property assessment and tax rates with other communities. This analysis of tax comparisons is restricted to municipal tax rates and does not include the education tax rates or seniors lodge tax rates. The term 'mills' is used in the comparison table. A 'mill rate' is another way of expressing a tax rate per $1,000 of assessment and is often used for ease of presentation. These two components, tax rate and assessment, are multiplied together to calculate property taxes. Longview's tax rates were compliant and well under the maximum 5:1 ratio for non-residential:residential tax rates required by the MGA s. 358.1.

Longview had the lowest residential and non-residential tax rates among similar sized communities in the comparison group as shown in the table below:

Tax and Assessment Comparison
(sorted by residential tax rate, lowest to highest)

Name of Municipality, Village of:	Pop.	No. of Dwelling Units	Residential Muni Tax Rate (mills)	Non-Res. Muni Tax Rate (mills)	Equalized Assessment	EA per capita
Longview	307	149	5.6661	9.4745	$ 51,297,657	$ 167,093
Glenwood	287	129	6.1053	17.7000	$ 26,552,674	$ 92,518
Coutts	277	140	7.1166	18.1926	$ 22,643,784	$ 81,747
Barons	318	148	11.3292	11.3292	$ 18,481,083	$ 58,117
Rockyford	325	191	11.9474	11.9474	$ 30,646,748	$ 94,298
Averages	**303**	**151**	**8.4329**	**13.7287**	**$ 29,924,389**	**$ 98,754**

Figure 20 - Tax and Assessment Comparison Table

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Longview also had the highest equalized assessment per capita in the comparison group, as shown in the chart below. Within the comparison group, Longview's tax rates were the lowest and the assessment was the highest. A larger assessment base enables the municipality to generate a larger amount of tax revenue to fund local services.

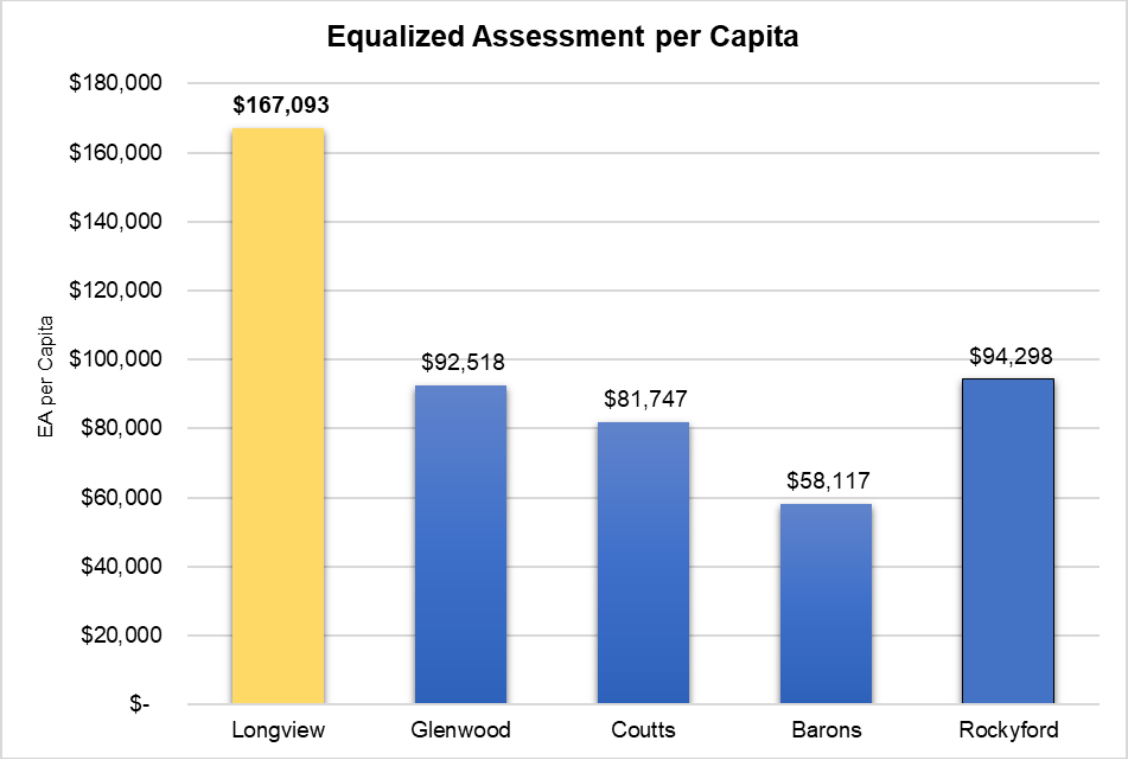


Figure 21 - Equalized Assessment Per Capita

6.3 Financial Reporting to Council

The MGA s. 268.1 requires the municipality to collect and deposit revenues, keep accurate financial records and that actual revenues and expenditures are compared to budget and reported to council as often as council directs. Financial reports to council should show sufficient departmental activity to provide enough information to understand the financial results of municipal operations. Council members should receive training on how to read and interpret financial statements at the beginning of each term.

Council meeting agendas show that council received regular revenue and expense reports with a comparison to budget in accordance with the MGA requirements. Council also received accounts payable reports and cheque listings which are an unnecessary level of detail for elected officials.

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6.3.1 Local Opinions on Financial Condition

Local stakeholders were invited to rate and comment on the municipality's overall financial condition. Several survey respondents were concerned with the financial condition of the village, as shown below:

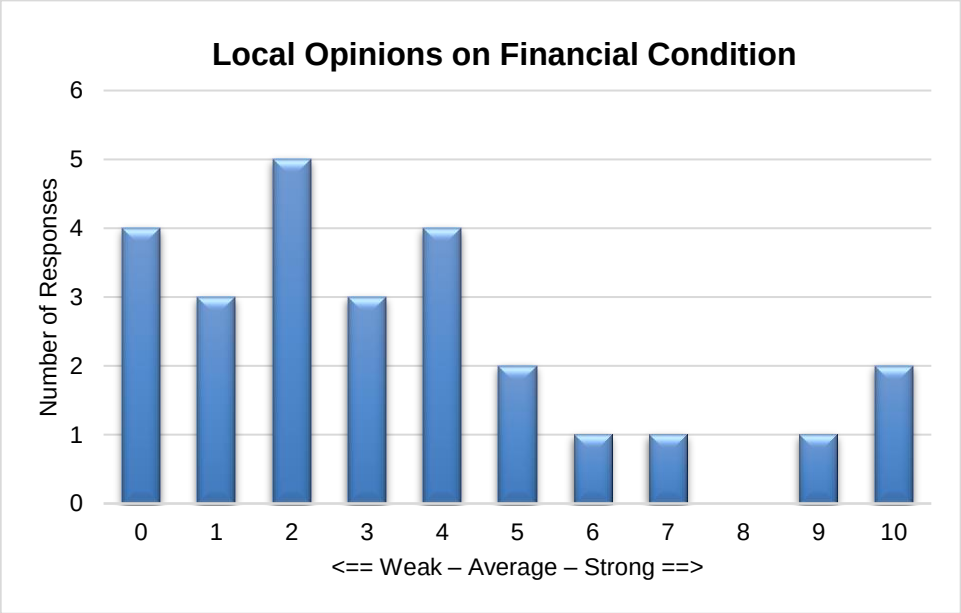


Figure 22 - Local Opinions on Financial Condition

Stakeholders provided various comments on the village's financial position, showing concerns over the need for greater transparency, as well as some positive comments:

- *Cash flow seems fine, but there is nothing put away for a rainy day.*
- *For a village of about 300 people I believe we are about average.*
- *I don't know what the financial condition is.*
- *Many potential budget breakers.*
- *Not enough tax base to keep property taxes down.*
- *No opinion as I don't know for sure. I would question why they need so many people in the office.*
- *The Village should have been saving up for some major infrastructure projects that will hit us in the next few years (replacement of water and sewer lines) followed by the repaving of the streets.*

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- *Lots of money has been spent on unnecessary items while things that really require attention are left undone. We have a part time patrol officer with all the best equipment but no services for the residents (mostly seniors) such as sidewalk cleaning and road maintenance. More things seem to be withheld from taxpayers so we are unable to see much for financial status.*

- *Other than the CAO don't believe councillors have a strong financial background. Needless to say we have a small resident base and very limited commercial base, much being seasonal. Therefore property taxes and future infrastructure needs are very much a concern.*

- *I think the village if properly managed would be in a very good financial position.*

- *Money is being spent too haphazardly.*

- *I think the financial condition is fine.*

- *Taxes in the last 10 years have had little to no increases. Outside of the debenture for the sewage lagoon upgrades, we are looking not bad.*

- *We used to be able to get a yearly print out at council meetings.*

- *Nothing much has been forthcoming from the Village as to financial and this is after we were told there would be transparency in our office. Not so.*

- *I do not pretend to know all about the village finances. I think there has been mismanagement of money in the past and some questionable incidents that have not been fully addressed. One example would be missing money from the campground.*

- *Up to date financial data has always been difficult to come by. Council minutes usually don't reflect expenditures approved at meetings.*

- *No personal knowledge of the financial condition. I think our taxes are very high for what we have.*

- *The Village does not provide much for services, does not seem to be fixing any infrastructure and yet is spending tons on what I feel are frivolous matters. We do not need a truck for the officer, nor do we need a new vehicle one year following purchase of the previous one, new radios, new equipment, Longview cannot afford to sustain this.*

- *I believe governance in this area has been strong although, worried that infrastructure would be a tipping point as it has not been kept up. When this is addressed it is dismissed just as quickly by council.*

- *There are really very few services provided and the cost of living in this small community are getting beyond the cost that many can afford. There have been issues*

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with the infrastructure in Longview for the past number of years, yet money is continually spent on "other" things rather than working on these.

- *Having not attended a council meeting in awhile, I can't really say. But I can see, future infrastructure needs creating an issue.*
- *Little New York Daze (LNYD) Committee consists of 3-4 members who also sit on Sr. Group (Seniors) committee. At the last council meeting, the LNYD asked council for $10,000. In the fall LNYD donated $5,000 to the Seniors for their bus.*
- *I feel the financial condition is average.*

6.4 Procurement Practices

The MGA s. 248 provides direction for the municipality to make expenditures that are either in the budget, for emergencies, or legally required to be paid. Municipalities are subject to tender advertising requirements through the Alberta Purchasing Connection (APC), the *Agreement on Internal Trade (AIT)* and the *New West Partnership Trade Agreement (NWPTA)*. Municipalities need to abide by government procurement rules related to threshold values of goods, services and construction.

Village officials acted in an improper manner by deferring significant projects to volunteer organizations without exercising some oversight in the procurement processes for community projects that the village would eventually own and maintain. Officials acted improperly by failing to ensure public safety during project construction on public lands. Officials acted in an improvident manner by failing to require full and regular accountability of public funds dedicated to community projects.

Some resident concerns were noted over the need for greater transparency in providing funding to local organizations and community groups. For example, the 2017 budget shows that council approved a $10,000 donation to the Little New York Daze (LNYD) organization. Officials indicated that later that year the LNYD contributed funds to the ARC Society and the library. Council acted in an improvident manner by failing to ensure full transparency and accountability to show that public funds donated to community groups were used for the intended purposes.

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Records show that the local Arts, Recreation and Culture (ARC) society received $83,446 in a provincial grant to fund a portion of the $140,353.38 eligible project costs for the "Longview Village Trail" project. This grant was received through the Community Facility Enhancement Program (CFEP) in 2015-16. ARC Society members were deeply invested, trained and involved in serving the community through many projects completed over the years. Some residents felt that the ARC society should be audited, and further local concerns were expressed in the lack of financial transparency within this organization.

6.5 Capital Improvements

The village accessed professional engineering assistance for overall capital planning and infrastructure replacement. Council demonstrated support to follow recommendations for infrastructure projects, as noted in the following excerpt from the February 21, 2017 council meeting minutes:

Infrastructure Management Plan Resolution 030-17	**MOVED** by Deputy Mayor MacLeod that the Infrastructure Management Plan produced by MPE Engineering be accepted for use as a guide in planning future infrastructure spending. **CARRIED**

6.6 Utility Charges

Residents expressed concerns over the July 2017 utility rate increase. Officials stated that the rates were increased to cover costs for village street lighting. Records show that village officials acted in a proper manner to address a financial shortfall and followed a proper process by amending the village rates Bylaw #397-17 at the April 21, 2017 regular council meeting, as follows:

Bylaw 397-17 Rates Street lights	**MOVED** that the Street Light charge increase to $19.00 on Utility Bill to be effective on the July billing. That Notice be included in the May Newsletter.
Resolution 061-17	Mayor Wight moved 1st Reading **CARRIED**
Resolution 062-17	Deputy Mayor MacLeod moved 2nd Reading **CARRIED**
Resolution 063-17	Deputy Mayor MacLeod moved Council proceed to 3rd & final reading. **CARRIED**
Resolution 064-17	Councilor Ayrey moved 3rd Reading **CARRIED**

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Some residents misunderstood the reason for the utility rate increase and felt that the increase from $16.00 to $19.00 per month was needed to cover the local Light Up Longview initiative. Officials confirmed that the street lighting utility rate increase was not related to the Light Up Longview initiative and that the power consumption costs for this local Christmas lighting initiative had a minimal cost increase totalling approximately $350 for the season. Officials also confirmed that there was a significant volunteer effort for the project in order to source, place and maintain seasonal Christmas lighting in the village, and that energy-efficient LED lights were used.

6.7 Overall Financial Position

Financial records show that the Village of Longview is in reasonably good financial shape. The 2017 financial statement shows that the village had net financial assets totaling $953,640 (total assets minus total liabilities). Annual financial statements for several previous years were available on the village website.

The village has a relatively large amount of long-term debt totalling $620,434 in 2017 but is still within its legislated debt limit and debt servicing capacity.

The village accessed capital and operating grants that were available to Alberta municipalities on a per capita basis, such as the Municipal Sustainability Initiative. As of the end of 2017 the village had approximately $750,000 in various grant funding available to apply to community projects.

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7 CONCLUSION

The Village of Longview has many unique strengths and amenities for a small rural Alberta community. Local stakeholders expressed a strong desire for greater leadership and harmony in the community. There is a great deal of goodness to be found in the Village of Longview and this hopeful community spirit is uniquely wrapped in a beautiful majestic setting.

There is tremendous potential for the community to work together peacefully and build on local strengths. Local input and participation were very strong during the inspection and many residents should be able to hear their own voice within this report. Unifying a community is a shared responsibility for all residents and officials who have daily opportunities to reach out to consider the best interests of each other and the community as a whole.

The municipal inspection required a far-reaching, critical evaluation of governance, administration and operations within the community. Irregularities and particular areas of concern were found in bylaws, policy development, accountability for community projects, and meeting decorum.

Following a rigorous review by the inspection team, the inspector determined that overall, the Village of Longview has been managed in an irregular, improper and improvident manner.

The inspector also noted that some irregular practices had been resolved, or officials were working towards improved processes. Additionally, some legislative contraventions in the inspection findings appeared inadvertent and could be corrected with guidance and continued education of officials. Ministry assistance, guidance and community oversight is recommended to help local officials to succeed and to ensure that the citizens of Longview have the local leadership that they need and deserve.

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