

Minutes of the Town of Olds Special Council meeting held on Monday, July 26, 2021 at 1:00 p.m. in the Council Chambers, at the Municipal Office at 4512 – 46 Street in Olds, with the public body present at meeting location. The meeting was LIVE STREAMED on the Town's website and can be found on the Town of Olds YouTube Channel.

PRESENT – ELECTED OFFICIALS:

In the Chair, Mayor Michael Muzychka

PRESENT – ELECTED OFFICIALS:

Councillor Debbie Bennett, Councillor Wanda Blatz, Councillor Mary Jane Harper, Councillor Mary Anne Overwater, Councillor Heather Ryan and Councillor Mitch Thomson

Invited Guests: Brownlee Representative Mr. Rodd Thorkelsson and BDO Representative Mr. David Lewis

ABSENT– ELECTED OFFICIALS:

STAFF PRESENT for the Regular meeting of Council

Michael Merritt, Chief Administrative Officer; Doug Wagstaff, Director of Community Services; Sheena Linderman, Director of Finance and Marcie McKinnon, Legislative Clerk

Shaun Fox, Cara Cochrane and Erika Goutsis

1. CALL TO ORDER

Mayor Michael Muzychka called the meeting to order at 1:03 p.m.

A.) ADOPTION OF THE AGENDA

Moved by Councillor Blatz, "to accept the agenda for the Special Council meeting on Monday, July 26, 2021, for 1 PM, as presented."

Motion Carried 21-316

2. PUBLIC HEARING

Mayor Muzychka explained that Section 172 of the *MGA* says that you may not take part in the discussion and decision-making on any matter in which you have a pecuniary interest. The legislation attempts to ensure that you are not discriminated either for or against by virtue of your membership on council. If you have a pecuniary interest:

- You are to disclose that you have an interest and its general nature.
- You are to abstain from any discussion of the matter and from voting.
- You are to leave the room until the matter has been dealt with and you should make sure that your abstention is recorded in the minutes.

You are not to be discriminated against and are entitled to participate in a public hearing as a member of the public.

Mayor Muzychka comments

Good afternoon everyone and thank you all for being here on this very important day for our community. I want to start off today's proceedings by recognizing and acknowledging the many volunteers in our community. The Council and I along with all the staff at the Town of Olds want to send our heartfelt appreciation out to all the volunteers, past and present that have dedicated heart and soul to making the community of Olds the fantastic place that it is today. Throughout our history our volunteers have been exceptional people in our town taking time away from their jobs and their families to make sure that Olds stood out as rich and vibrant community. Thank you one and all we appreciate everything you have done.

Secondly, we would like to acknowledge the incredible product that O-NET is in our community. Again, Council and I along with all the staff at the Town of Olds recognize this cutting-edge asset that we are all so lucky to have in our town. O-NET is a source of enormous pride for our community and has delivered the best-in-class internet, television, and telephone service for many years now. Recognized across North America as one of the first gig-to-the-premises carriers has given us bragging rights beyond comparison. Now the only thing better than the services O-NET provides ... is the actual customer service that O-NET provides. Chris, Robin, and the whole team of employees at O-NET provide exceptional, best in class, customer service that nobody in the industry comes close to. You all know that if something goes wrong, which doesn't happen very often, these great folks are just a phone call away. And guess what ... a real person almost always answers that call. That is hard to find in any industry these days. Thank you so very much to the whole team at O-NET.

Back in January 2020 I attended the Olds Institutes' regular monthly board meeting to discuss some financial and governance issues the Town was having with the OI. At that meeting I said that the Olds Institute was a Committee of the Town of Olds. I was wrong the Olds Institute is not a Committee of the Town of Olds, it truly is an Independent Society. I apologize to the board members present at that meeting; I was wrong. All that being said, with our support for Broadband and for the Olds Institute and the considerable investment of taxpayer's money we have made as a Town we should have been viewed as a partner and not just a bank. We believe from these meetings that I and our representative on the Board attended that the use of these funds and our input should have been taken much more seriously.

We as Council represent the taxpayers of Olds and we have a fiduciary responsibility to ensure their tax dollars are spent wisely. That is why we wanted a new mandate and a new financial arrangement with the Olds Institute. When we gained knowledge of how some of the decisions were being made by the Board or the Executive, we were alarmed and concerned.

We are here today because Council, Administration and I have some very big concerns regarding the financial and governance issues at both the Olds Institute and Olds Fibre Limited, operating as O-NET.

Let me close by saying, once again, thank you to all the volunteers of our town for your efforts and thousands of man hours committed to making the COMMUNITY OF OLDS the incredible place that it is.

Mayor Muzychka declared the public hearing, **open at 1:09 p.m.** in the Council Chambers at 4512 46 Street in Olds, Alberta as required by sections 75.1, 75.5, 230 and 606 of the Municipal Government Act and Section 3 of the Municipally Controlled Corporation Regulation, prior to obtaining control of Olds Fibre by acquiring all of the shares of the same and converting Olds Fibre into an MCC.

Mr. David Lewis, from BDO Canada LTD spoke to the process and the specific duties required as the court ordered receiver. Indicating they continue to work to develop a plan to move O-NET forward with continued success.

Mr. Rodd Thorkelsson, with Brownlee LLP gave a PowerPoint presentation to Council on the Public Hearing – Acquisition of Shares of Olds Fibre Ltd. (Presentation will be held with the minutes.)

Mayor Muzychka explained that presentations before Council shall be brief and to the point and limited to five (5) minutes; Council shall not allow cross examination of persons giving information and it will not be necessary for the persons giving information to verify his or her

qualifications; Council may ask questions of the speakers after each presentation for clarification purposes; no debating or questions from the floor will be allowed and no written or verbal submissions will be received by Council after the Public Hearing is closed. Persons addressing Council will: state their name and address. Indicate if they are speaking on their own behalf or for a client, company or citizens group.

Mayor Muzychka called for all those **in support** to come forward to make presentation. No one came forward.

Mayor Muzychka called for a second time for all those **in support** to come forward to make presentation.

Mr. Darren Wilson of Olds came forward and spoke to Council.

The comments Mr. Wilson provided prior to the meeting were included in the agenda package.

Mayor Muzychka called for all those **opposed** to come forward to make presentation. No one came forward.

Mayor Muzychka called for a second time for all those **opposed** to come forward to make presentation.

No one came forward.

Mayor Muzychka called for all those **deemed affected** to come forward to make presentation.

Mrs. Bernice Lynn of Olds came forward and spoke to Council.

The comments Mrs. Lynn provided prior to the meeting were included in the agenda package.

Mrs. Rita Thompson and Mrs. Kathy Doyle long time Olds Institute committee members came forward and spoke to Council.

The written comments Mrs. Thompson and Mrs. Doyle provided at the meeting, will be held with the meeting minutes.

Mrs. Thompson read Mrs. Bev Toews' letter into the record.

(Copy of letter was proved and will be held with the minutes.)

A letter from Bev Toews, chairperson of the Fair Trade Olds committee.

Town Councillors, town staff and Mayor Muzuchka,

I am unable to be at the meeting today, so I hope my letter is acceptable in my absence. I have been a volunteer in many communities for the past 43 years and as a volunteer, I have never felt as supported and as much a part of a team as I have under the umbrella of the OICRD. It is a unique organization that I have been proud to be a part of, and to promote provincially and nationally - especially throughout the Canadian Fair Trade Network - as an organization of volunteers, businesses, organizations, educational institutions and locally beneficial business ventures created through a progressive vision of volunteers in partnership with the Town of Olds.

One of the benefits I have experienced are the synergies that have been created when people from various committees of the 01 work together on projects that would not have happened if we had all been working in silos.

I have served on a variety of committees, including:

- *the Sustainable Olds Committee, which at one time afforded the opportunity of chairperson to a student from Olds High School who is now working in politics on the federal level.*
- *the Fair Trade Olds committee, which has engaged in a myriad of partnerships including hosting and supporting local events and collaborating with 01 partners such as Mountain View Power, Uptowne Olds and Olds College brewery to raise awareness, and increase the availability of Fairtrade certified products, so people who support fair trade can shop locally rather than travel to other towns or cities to purchase these products.*
- *the Olds Indigenous Connections committee that came together because of partnerships made between the OICRD and the Town of Olds, organized 4 National Indigenous Day Celebrations in Olds and is now a sub-committee of Mountainview Moccasin House.*

The OICRD, 0-Net and Mountain View Power are 3 things that make the Town of Olds unique and admired by people from many other municipalities. It is my hope that we continue to lead by example, can reimagine these assets and maintain as much as possible, keeping 0-Net and Mountain View Power as locally owned companies that create jobs and whose profits continue to benefit our community

*I will close with a quote from Sean McHugh, Executive Director of the Canadian Fair Trade Network, who has worked with over 100 towns and cities in this capacity:
"As for the Olds Institute, I personally think it's awesome. It's a unique and critical organization which has helped to build a community in Olds like nowhere else I've seen in Canada. It's helped bring schools, teachers, students, the college, the college brewery, local businesses, councillors, the mayor, etc. etc. together. To be able to blend together sustainability, international development, and citizenship, with community development and the support of local business is pretty awesome. The work put into community building showed itself through the conference, as there were more people from Olds, then any other place in Canada:)"*

The conference Sean is referring to was the national Candian Fair Trade Network conference held in Calgary just over a year ago - co organized and hosted by Fair Trade Olds, Ecole Olds High School and Fair Trade Calgary.

*Thank you for your time
Respectfully submitted, Bev Toews*

Mr. Grant Spence of Olds came forward and presented Council with a petition that contained over 470 names. The petition is titled: PETITION TO DELAY OLDS INSTITUTE ASSET DISPOSAL and reads as follows:

The undersigned persons, being electors of the Town of Olds, in the Province of Alberta, hereby respectfully request that the present elected council of the Town of Olds (Mayor Michael Muzychka, Debbie Bennett, Mary Jane Harper, Mary Ann Overwater, Wanda Blatz, Heather Ryan, Mitch Thomson) will not authorize the disposal of the assets of the Olds Institute of Community & Regional Development (OI), prior to a new Council being elected after the October 2021 election.

Marcie McKinnon, Legislative Clerk for the Town, read into the record the comments received from John and Margaret Smythe as follows:

Hi

We strongly oppose any Town of Olds take over of O'Net at this time and propose that;

1. *The Town defer any action on the O' Net file until after the October 2021 elections.*
 2. *The Present and future Mayor and council engage face to face talks with O' Net community reps and/or previous O' Net board members to resolve issues & arbitrate unresolved issues.*
 3. *That the Town's first priority must be the continuation of O'Net as the premier facility it has become, providing first class competitive priced services as a viable business entity.*
- Respectfully Submitted John & Margaret Smythe*

Mr. Nathaniel Wielenga of Olds came forward and addressed to Council.

Mr. Warren Smith of Olds came forward and spoke to Council.

Mr. Brian Thompson long time committee member came forward and addressed council.

Mr. Gary Scholer of Olds came forward and read his *letter to the editor* that he indicated would be out in Tuesday's (July 27) local newspaper. (No copy was provide)

Marcie McKinnon, Legislative Clerk for the Town, read into the record the comments received from Mr. Robert Deisman.

The written comments provided at the meeting, will be held with the meeting minutes.

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You as council should be ashamed of yourselves. You ask the public to buy local, yet you are trying to destroy something to be proud of. This was started with a lot of volunteer hours and has been a good service to the town. Service has been very good and easy to access and you should be supporting it, as it helps keep the big suppliers prices down. IT is hard enough to get any business to start up let alone one of this caliber and size, there are remains of failed shops all over this town.

Robert Deisman

Mr. Mel Giles of Olds, came forward and addressed Council.

Mayor Muzychka called for a second time for all those **deemed affected** to come forward to make presentation.

Mayor Muzychka opened the floor to Council for comments or questions.

Council Thomson questioned from the opening comments of the legal advisor that it was indicated 'the immediate need for reduction in funds...' – what was that immediate need? Mr. Thorkelsson indicated that the immediate need was in order to make room in their debt limits for other priorities.

Councillor Thomson questioned the Town's legal advisor - that Olds Fibre Limited was paying its principal and interest payments to the Town of Olds; did the Town not received an opinion years ago that as long as Olds Fibre Limited and Olds Institute were making those payments that – that that debt did not affect the debt service limit of the Town of Olds.

Mr. Thorkelsson was not familiar with the opinion Councillor Thomson was referring to and therefore had no comment.

Councillor Thomson then requested through the Chair to CAO Merritt; to know if Reynolds Mirth provided an opinion to the Town of Olds suggesting that the debit service for the Town of Olds

would not be impacted by Olds Fibre Limited as long as Olds Fibre Limited was making payment on the arrangement it had.

CAO Merritt indicated that he was not aware of any Reynolds Mirth opinion, for as long as he has been in the Town we have only dealt with Brownlee LLP. CAO Merritt asked Councillor Thomson to provide the information he was referencing.

Councillor Thomson then questioned the CAO Merritt, if Municipal Affairs had provided that leeway. CAO Merritt indicated that he doesn't have correspondence to indicate that.

Councillor Thomson asked if the required business plan and marketing plan analysis would be presented in the public hearing.

Mr. Thorkelsson indicated that the business plan remains confidential and are never made public. The town is relying on the current business plan of OFL, there is no marketing plan within it and therefore one would not come forward. The Town is using the OFL business plan with additions and it will be completed by Mr. David Lewis and will be considered by council before a resolution is passed.

Ms. Debby Crawford of Olds, came forward and spoke to Council.

Mr. Grant Spence came up a second time to address to Council.

Mr. Dick Stauffer of Olds, came forward and addressed Council, he provided some information on cash flow projections.

Mr. Thorkelsson reviewed the information provided and confirmed that cash flow projection information is confidential.

Mayor Muzychka asked if anyone had any further comments.
No one came forward.

Mayor Muzychka declared the public hearing **closed at 2:19 p.m.**

Mayor Muzychka closed by thanking all the volunteers of our town.

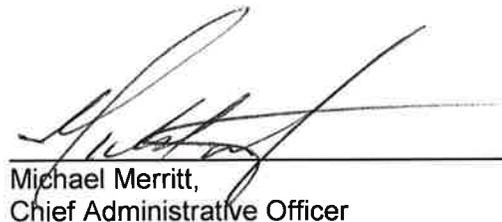
3, ADJOURNMENT

Moved by Councillor Ryan, "that this meeting be adjourned at 2:19 p.m."

Motion Carried 21-317



Michael Muzychka,
Mayor



Michael Merritt,
Chief Administrative Officer

These minutes were approved on the twenty-third day of August, 2021.