

**MINUTES OF THE VIRTUAL SPECIAL MEETING OF COUNCIL
RE: CONFIDENTIAL LEGAL MATTER UPDATE
of the Town of Banff in the Province of Alberta
Virtual Council Meeting
Tuesday, 2022 April 05, at 2:00 p.m.**

COUNCIL MEMBERS PRESENT

Corrie DiManno	Mayor	(Remote Participation)
Ted Christensen	Councillor and Deputy Mayor	(Remote Participation)
Grant Canning	Councillor and Acting Mayor	(Remote Participation)
Chip Olver	Councillor	(Remote Participation)
Barb Pelham	Councillor	(Remote Participation)
Hugh Pettigrew	Councillor	(Remote Participation)
Kaylee Ram	Councillor	(Remote Participation)

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	(Remote Participation)
Renée Lavergne	Information Governance Coordinator	(Remote Participation)
Lisa Lee	Executive Assistant	(Remote Participation)
Tara Johnston	Legislative Advisor	(Remote Participation)
Libbey McDougall	Municipal Clerk	(Remote Participation)

Minutes approved by: _____

1.0 CALL TO ORDER

To confirm Members of Council, who all participated virtually due to the ongoing COVID-19 Pandemic, as present, the following roll call was conducted:

ROLL CALL:

Present: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Mayor DiManno called the virtual Regular Meeting of Council to order at 2:01 p.m.

2.0 APPROVAL OF AGENDA

2.1 Agenda for the 2022 April 11 Virtual Special Meeting of Council Re: Confidential Legal Matter Update

COU22-100 **Moved by** Councillor Olver

That the Agenda for the 2022 April 05 Virtual Special Meeting of Council, Re: Confidential Legal Matter Update, be approved.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: _____

3.0 SPECIAL MEETING CONFIDENTIAL BUSINESS

3.1 Confidential Verbal Request for Decision: Confidential Legal Matter Update

COU22-101 **Moved by** Mayor DiManno

That Council recess at 2:02 p.m., to the call of the chair, to reconvene in a closed meeting, to be conducted in a confidential Zoom Meeting environment, pursuant to Sections 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body), and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, to consider confidential matters with respect to Item 3.1 Confidential Verbal Request for Decision: Confidential Legal Matter Update, and that Legal Counsel be invited into Council's closed meeting discussions.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Council reconvened in closed meeting at 2:03 p.m. with Mayor DiManno in the Chair.

Council recessed in closed meeting at 3:20 p.m.

Council reconvened in public meeting at 3:21 p.m. with Mayor DiManno in the Chair.

Individuals in attendance during the closed meeting discussions with respect to 12.1 Confidential Verbal Briefing: Legal Matter Update:

Clerk: L. McDougall
Advice: K. Gibson

COU22-102 **Moved by** Mayor DiManno

That Council Rise and Report

ROLL CALL VOTE:

For: (7): Mayor DiManno, Councillor Christensen, Councillor Canning, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: _____

A confidential distribution, which is to remain confidential pursuant to Sections 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body) and 27 of the *Freedom of Information and Protection of Privacy Act*, was received for the Corporate Record with respect to Item 3.1, Confidential Verbal Request for Decision: Confidential Legal Matter Update.

COU22-103 Moved by Mayor DiManno

That with respect to Item 3.1, Confidential Request for Decision: Confidential Legal Matter Update, the following be adopted:

That Council approve Confidential Recommendations 1 contained in the confidential distribution.

For: (5): Mayor DiManno, Councillor Canning, Councillor Olver, Councillor Pelham, and Councillor Ram

Against: (2): Councillor Christensen and Councillor Pettigrew

MOTION CARRIED

COU22-104 Moved by Mayor DiManno

That with respect to Item 3.1, Confidential Request for Decision: Confidential Legal Matter Update, the following be adopted:

That Council direct that the confidential distribution and the closed meeting discussions remain confidential pursuant to Sections 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body) and 27 of the *Freedom of Information and Protection of Privacy Act*.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: _____



4.0 ADJOURNMENT

COU22-105 **Moved by** Councillor Canning

That this Council adjourn at 3:23 p.m.

ROLL CALL VOTE:

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Corrie DiManno
Mayor

Libbey McDougall
Municipal Clerk

Minutes approved by: _____