

**RVC – December 11, 2018 Council Meeting**  
**Agenda Item D1 – Confirmation of CAO Appointment** (start @ 1:44; end @ 1:59)  
Transcript of Debate - no guarantee of complete accuracy

**Hanson** – I would like to make a motion to table. The appointment of the CAO is important to Council, Administration, and County residents. Over the past few weeks, Council has been made aware of information that may affect the credibility and reputation of this county if it continues down this path.

The information is serious and a decision will be made by Municipal Affairs in the coming month. As such, I am asking my colleagues, can we not hold off until then and make sure that Mr. Hoggan is clear and rest assured that we have done our proper due diligence.

The tabling motion failed.

- Supporting the tabling motion: Hanson, Gautreau, Wright & Kissel.
- Opposing the tabling motion: Kamachi, McKylor, Schule, Boehlke, Henn.

**Rick McDonald** – gave staff report.

The Municipal Government Act requires that every Council must appoint one or more persons to carry out the powers, duties, and functions of the position of Chief Administrative Officer. Bylaw C-7350-2014 provides that Council shall, by resolution, appoint an individual to the position of CAO and establish the terms and conditions of the CAO's employment.

By way of background, the hiring of a CAO is a key responsibility of Council and Council needs to be comfortable with the type of duties and level of authority associated with the position. A recruitment process with the assistance of a recruitment agency was used to find the qualifications and necessary skills in a candidate to take Rocky View County in the direction that Council has chosen for the future. And we provide two options. That is my report.

**Schule** – made motion to appoint Al Hogan as CAO effective Dec. 17<sup>th</sup>.

**Gautreau** – I won't be supporting that motion.

RVC is like a ship and the appointment of a CAO is like a captain. For many years, we can say that RVC has been going through some rough seas. The captain of the ship takes his orders from this council or from the top, which is us. Then the captain gives his orders to his staff. Then the staff gets the ship to the destination.

The captain has to trust that the council and the deck hands, administration, are there to do their jobs. If there is any doubt or mistrust, the ship could hit a sandbar. We'd get stuck, things could happen. I'd like to keep our ship in the steady hands that it was going through. We're going through a thick fog and we're not giving the captain all his tools. We're giving him a whistle instead of a radar.

There were a few things that have happened that were brought to light. I would like to have seen a pause hit on this button so we could wait until the fog had cleared and we could give our

captain every tool necessary so he can guide this ship through any rough waters. Today I will not be supporting this motion because of that.

**Hanson** – Rocky View County does not have a CAO hiring policy or bylaw. Given that we do not have our own policies, we are required to fall back on the Municipal Government Act and the corresponding procedures published by Alberta Municipal Affairs, entitled “Hiring a Chief Administrative Officer”, dated July 2014.

We did follow the majority of these procedures when we hired our interim CAO, Mr. Rick McDonald, who has done a stellar job of reorganizing our County and setting up the administration with the organizational design and devising a corporate plan to be able to execute our Council’s strategy for Rocky View County. So we know the hiring process works. And we know the ratepayers have received tremendous value for the dollars we have spent on our sole employee currently at the helm of the County’s leadership.

Somehow, we failed to follow this process with our search to fill the permanent CAO position.

For some reason, the Reeve sought to short-cut the process and, instead of working through the personnel recruitment firm Davies Park, who we had contracted for our recruitment search, and instead of working with our Council’s employment lawyer, decided over the course of a weekend, to offer the candidate the position in an overly detailed offer letter, without a resolution of Council and further, acting as an individual councillor, used an employment contract supplied by the candidate. Both of these documents were executed with an indefinite term.

By the time the rest of council had a lawyer inserted into the process, it was too late. This bumbling leadership has the potential to cost the County taxpayers in the neighbourhood of a quarter of a million dollars due to this very questionable oversight.

Management team decorum would suggest supporting the corporate position once decisions are made. In this instance, however, as much as this pains my professional ethos, since there was a blatant and total disregard for process, I too will not be supporting this appointment.

**Kissel** – I know when I ran for council, my goal was, as a resident, that we need a voice. We’ve been hearing all sorts of things in the media, it could just be a letter to the editor. Through that I’ve heard pretty clear from my division that this should have been paused. That sometimes you need to stop and reflect and make sure.

The one thing for me is that, if any one knows me, I’m about process and policies. I think to govern well we need to follow those rules. When we ask our residents “please follow the rules” and council chooses not to, we have a problem. So, sadly, today I will not support this motion.

**Kamachi** – I will be supporting this motion. I feel as councillors we did our due diligence under the leadership of our CAO, our Reeve, our HR department, our hiring agency. We did interview as a council, we picked our selects, we interviewed them and many of us got to speak directly with them as well. I think in this day and age, you are innocent until proven guilty. So, I’d just like to vote on this.

**Schule** – After hearing some of these comments, I’m not even sure how to respond to some of them. One of them is poor leadership and et cetera. I think that is a very poor statement to say the least.

When we want to talk about the process, I asked Charlotte to see if we had followed process the same way we did in the hiring of Mr. McDonald, who I’d like to say did an exceptional job. From what I’m reading and what I was sent, we did follow virtually the same process and policy. So, I’m not sure where the shortcomings are. Some of the information in this email may be confidential, so if people would like to see it, I’d suggest we go in camera for two minutes so people can see that we did follow procedure, that we did follow exactly the same thing as we did in the hiring of the interim.

I am rather discouraged that we’d be making attacks on our colleagues. I don’t think this is the place to do that. This was my motion and I’m definitely sticking with it.

**Wright** – I will try not to say anything that was spoken of in confidentiality. Contrary to the deputy reeve’s assertions, we have failed to follow proper process.

In an attempt by the current council’s leadership to rush through this process, we have made mistakes. While there is no manual for becoming a councillor, in fact much of what we do is trail by fire, there are areas where there are established guidelines and terms of proper process. In this instance it is the MGA that clearly outlines how to hire a CAO, even if we don’t have that policy ourselves. I don’t believe it was followed and, as such, gaps were created.

As mentioned by others this morning, this is not about the individual, it is about how we as a council make decisions. Furthermore, since the decision was made with a lack of process there is information that has come to light, information that could prove injurious to the reputation of this county, in my opinion, if found to have grounds.

In addition to the concerns raised by my colleagues, I believe, in order to proceed in a manner that embodies the platform on which I ran, we need transparency and trust. And we need to start on a clean slate. I’ve heard from many of my residents and, in order to represent those residents, in what I believe is the best interest of the constituents of this county and the administrative staff, I cannot and will not support this motion at this time.

**Henn** – If I’m able, could I ask a question of Administration, specifically Mr. McDonald? Mr. McDonald, in your opinion, did council fail to follow proper procedure in this process?

**McDonald** – The normal process is that council would have had a resolution to enter into an agreement. Generally speaking, those agreements and negotiations are subject to council approval. That approval is what we are asking for today. So, are we a little bit behind; could be. I think that is a technicality, but at the same time, we should have had a resolution earlier.

Today we can address that matter and move forward. So, I can’t answer that black and white. If you want a black and white answer, no there was no resolution and it is my understanding and

I've only seen drafts of the agreement is that there was not a condition of approval by council but today that would be resolved through your motion.

**Henn** – thank you. So, I have to address a few of these comments.

To me, the only thing that council didn't do, and this was with the help of our reeve, we didn't drag our feet. We can fumble along and talk about it but I feel it is to no end. At the end of the day we found, in my opinion, a more than competent individual to take on the role of CAO and we were decisive in going through the process of getting him hired.

I'm going to leave it at that, but I have to say I am a little disappointed in some of the comments. I remember when we were deliberating on hiring an interim CAO, the comments came out that we were dragging our feet and, now that we've gone forward and made a move to get things looked after and move this county along, the opinion is now that we're rushing into it. I'm failing to understand the mind-set here.

**Wright** – To address Councillor Henn's comments, you are absolutely right, we did not drag our feet. If hiring the person who makes \$235,000 on one interview is perceived as good by this County and is perceived as good that we didn't drag our feet – so be it.

**Boehlke** – I'm going to stay out of this fray. I believe we did go ahead with proper procedure. We used a contract lawyer to answer questions that council had. I will say that I am extremely disappointed in the public participation here of my colleagues. But whatever, I'll call the question.

Voting in favour of the appointment of Mr. Al Hoggan as RVC's CAO – Henn, Schule, Boehlke, McKylor, Kamachi

Voting in opposition of the appointment – Kissel, Wright, Gautreau, & Hanson

Prepared by: Rocky View Forward