

November 30, 2010

The Honourable Hector Goudreau
Minister Municipal Affairs
104 Legislature Building
10800 – 97 Avenue
Edmonton, AB T5K 2B6

Dear Honourable Minister

Re: **County of St. Paul Election Issue**

As per our conversation at the AAMDC Convention, this letter is in reference to the election issue the County of St. Paul experienced during the 2010 Municipal Election. The issue occurred on Nomination Day when a candidate sent in her nomination papers with her husband and did not have them commissioned by a Commissioner of Oaths. She did arrive to sign the documents but this was after the 12:00 deadline to receive Nomination Papers.

Our Returning Officer, based on his Returning Officer Training and advice received by Municipal Affairs and echoed by our legal counsel, made the decision to exclude the candidate's name from the election ballot. According to the Local Authorities Elections Act the candidate's only option was to seek a Court Order to have her name included on the Election Ballot. The candidate commenced this action and based on the *Crilly v. Isley* case was successful. Consequently, the County was ordered to put her name back on the ballot as well as cover her legal costs.

Since the County of St. Paul does not have control over the Local Authorities Elections Act or its Regulations, the training, nor the advice received that led to this outcome, we are asking Municipal Affairs' consideration for reimbursement of our costs experienced which total \$13,355.27 (excluding GST). I am enclosing copies of the Order, and invoices from both legal counsels for your information. If you require further clarification, please do not hesitate to contact our Administrator, Sheila Kitz at (780) 645-3301 ext. 208.

Sincerely,

Steve Upham
Reeve

Cc: The Honourable Ray Danyluk, MLA Lac La Biche-St. Paul
Bob Barss, President AAMD&C